

**SEPTEMBER 27, 2018 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, SEPTEMBER 27, 2018 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN RONALD SCHUMAKER

PLANNING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. #3167 - DWIGHT REAGAN

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural activities at 3504 North 49th Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18420

B. SPECIAL USE PERMIT APPLICATIONS

1. #SP-2018-64 - DALLAS WOLFE WITH 12TH STREET AUTO SALES

Synopsis: Renewal of a Special Use Permit (#SP-2016-25 - expired 4/28/2018) for auto sales and repair shop at 914 South 12th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18413

2. #SP-2018-66 - DARREN ALLEN WITH LOUNGE 42

Synopsis: Special Use Permit for a drinking establishment with live entertainment at 4220 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18421

3. #SP-2018-69 - JACK MCDONALD WITH ENVIRONMENTAL MANAGEMENT OF KC

Synopsis: Renewal of a Special Use Permit (#SP-2008-13 - expired 5/1/2018) for an oil recycling facility at 861 South 66th Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 18414

4. #SP-2018-70 - LILIANA S. GONZALEZ WITH LILIANA'S HAIR HOUSE

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2013-31 - expired 5/30/2018) for a beauty shop at 4402 Roswell, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 18415

5. #SP-2018-71 - STEVE SENEAL WITH TANNER'S BAR AND GRILL

Synopsis: Special Use Permit for live entertainment in conjunction with Tanner's Bar and Grill at 3900 Rainbow Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18425

6. **#SP-2018-72 - ANDRE D. HAMPTON**

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2016-58 - expired 8/25/2018) for gun repair/sales at 1728 North 32nd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18416

7. **#SP-2018-73 - SEAN TULIPANA WITH 5252 SPEAKER ROAD, LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2016-44 - expired 5/26/2018) for a maintenance/servicing facility for trucks at 5252 Speaker Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 18417

8. **#SP-2018-74 - TERRY D. MASON WITH POSITIVE ROLE MODELS INTO DEMANDING EXCELLENCE**

Synopsis: Renewal of a Special Use Permit (#SP-2016-62 - expired 8/25/2018) for a group home/emergency shelter for youth 12 to 17 at 1634 South 29th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18418

9. **#SP-2018-75 - FARIS FARASSATI WITH KC OUTLOOK ROSEDALE, LLC**

Synopsis: Special Use Permit for renovations and expansion for KC Outlook Rosedale Day Care at 2605 West 39th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18426

10. **#SP-2018-77 - JENNIFER L. RIOS**

Synopsis: Special Use Permit for a day care for children ages 2 to 12 at 6601 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18427

11. **#SP-2018-78 - JEFFREY ZIMMERMAN**

Synopsis: Renewal of a Special Use Permit (#SP-2016-45 - expired 7/11/2018) for an auto repair shop and used car dealership at 6863 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18419

12. **#SP-2018-79 - JOE HEIDRICK WITH CACTUS BED PROPERTIES LLC**

Synopsis: Special Use Permit for short-term rental AIRBNB at 3841 Lloyd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 18428

C. PLAN REVIEW APPLICATIONS

1. **#PR-2018-18 - BRIAN HILL WITH MKEC ENGINEERING**

Synopsis: Preliminary Plan Review for an elementary school (Brune Elementary School) at 8833 Waverly, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18436

2. **#PR-2018-24 - TIM CONRAD WITH PIPER UNIFIED SCHOOL DISTRICT #203**

Synopsis: Preliminary and Final Plan Review for a new elementary school with parking and play areas to eventually become a high school at 13021 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18429

3. **#PR-2018-25 - BRIAN HILL WITH MKEC ENGINEERING, INC.**

Synopsis: Preliminary Plan Review for a new elementary school for USD 500 (New West Elementary) at 2600 North 44th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18430

D. MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

1. **AN ORDINANCE** regarding mobile grocery operations; amending Sections **27-340, 276-609, 27-610, and 27-612 through 27-614** to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 1848

2. **AN ORDINANCE** rezoning property at 13120 Leavenworth Road (#3166) from A-G Agriculture District to R-1 Single Family District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18375

E. MISCELLANEOUS

1. **ORDINANCE AMENDMENT** removing the special use permit requirement for mobile grocery markets and a new definition for "mobile market", submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 1848

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR SEPTEMBER 27, 2018

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2017.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. **RESOLUTION: INTERLOCAL AGREEMENT WITH JOHNSON COUNTY, KS**
Synopsis: A resolution authorizing approval of an interlocal agreement with Johnson County, KS, related to the use of My Resource Connection, an application developed by Johnson County for improving coordination among social service providers, submitted by Alan Howze, Chief Knowledge Officer; Casey Meyer, Assistant Counsel; Terry Brecheisen, Director of Public Health; and Crystal Sprague, Municipal Court Administrator. Funding is included in the budget.

*On September 17, 2018, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 18372

2. **ORDINANCE: MODIFY CURRENT STANDING COMMITTEE TIMES**

Synopsis: An ordinance modifying current standing committee meeting times to clarify that the Economic Development & Finance Committee would meet immediately after the earlier Neighborhood & Community Development Committee; and the Administration & Human Services Committee would meet immediately after the earlier Public Works & Safety Committee, submitted by Jeffrey Conway, Assistant Counsel. In addition, if an earlier committee is not meeting that day, the later committee would move into the 5:00 pm slot for that day.

*On September 17, 2018, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 18403

3. **RESOLUTION: MODIFY EXISTING 2018-2020 STANDING COMMITTEES SCHEDULE**

Synopsis: A resolution modifying the existing 2018-2020 schedule for standing committee meetings to reflect that start times for both the Economic Development & Finance and the Administration & Human Services standing committee meetings would be moved up to start at the conclusion of the earlier standing committee meetings, submitted by Jeffrey Conway, Assistant Council. Also, if the earlier committee meeting is cancelled, the later committee meeting can start at 5:00 pm.

*On September 17, 2018, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 18400

4. **CHARTER ORDINANCE: PROPOSED REVISIONS TO TRANSIENT GUEST TAX**

Synopsis: A charter ordinance proposing revisions to the transient guest tax, submitted by Kathleen VonAchen, Chief Financial Officer.

*On September 17, 2018, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 18402

5. **PLAT: LEGACY PARK ESTATES**

Synopsis: Plat of Legacy Park Estates, located along 65th and Riverview, being developed by Belmont Development Company LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 18439

6. **PLAT: HOWARD'S HOMESTEAD**

Synopsis: Plat of Howard's Homestead, located along 131st and Leavenworth Road, being developed by the Miller Family, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 18440

7. **PLAT: WYANDOTTE CITY, A REPLAT OF PART OF BLOCK 159**

Synopsis: Plat of Wyandotte City, a Replat of Part of Block 159, located at 7th and Barnett Avenue, being developed by the Unified Government of Kansas City, Wyandotte County, Kansas, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 18441

8. **NOMINATION: BOARDS AND COMMISSIONS**

Synopsis: Nomination for Boards and Commissions: Law Enforcement Advisory Board, Jonas Cruz, 9/27/2018-6/30/2022, submitted by Commissioner Murguia

Tracking #: 18422

9. **MINUTES**

Synopsis: Minutes from special session of August 30, 2018; and regular session of August 30, 2018.

Tracking #: MINUTES

10. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated September 13 and 20, 2018.

Tracking #: 18438

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. **ORDINANCE: LATE FEES/INTEREST ASSOCIATED WITH A DEMOLITION LIEN ON 3840 LLOYD ST.**

Synopsis: An ordinance removing the late fees and interest associated with a demolition lien on 3840 Lloyd St. in the amount of \$4,711.55, submitted by Patrick Waters, Senior Attorney.

*On September 10, 2018, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve the request and forward to full commission. The ordinance has been prepared to effectuate action.*

Tracking #: 18434

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK BUSINESS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval.

Applications for yard extension, unless noted otherwise

1219 Haskell Ave. - Guadalupe Holguin

297 S. Mill St. - Sanjuanita Ortiz

327 S. Boeke St. - Rafael Hernandez

1935 N. 27th St. - Juan Campillo

1338 N. 48th St. - Oscar Mendoza Mera

135 S. 14th St. - Rosario Martinez Bernal, property acquisition

Transfer to Land Bank

344 Cambridge St. - City of Kansas City, KS

(The owner of 340 Cambridge St. would like to purchase property to build a driveway.)

Tax Sale Transfers

127 properties from Tax Sale 341 (8/16/18)

Changes to Land Bank Policy

*On September 10, 2018, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 18393

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: September 27, 2018

Re: Change of Zone Petition #3167

GENERAL INFORMATION

Applicant:
Dwight Reagan

Status of Applicant:
Owner
3504 North 49th Drive
Kansas City, KS

Requested Actions:
Change of Zone from
R-1 Single Family District to A-G
Agricultural District

Date of Application:
July 27, 2018

Purpose:
To change the zoning of the
property to use the property for
agricultural purposes

Property Location:
3504 North 49th Drive

Existing Zoning: R-1 Single
Family District



Surrounding Zoning: **North:** R-1 Single Family District
 South: R-1 Single Family District
 East: R-1 Single Family District
 West: R-1 Single Family District

Existing Uses: **North:** Large-lot single family residence
 South: Large-lot single family residence
 East: Large-lot single family residence
 West: Large-lot single family residence

Master Plan Designation: Rural Density Residential

Major Street Plan: North 49th Drive is a designated local street

Total Tract Size: 15.1 acres

Advertisement: The Wyandotte Echo – August 16, 2018
 Letters to Property Owners – August 15, 2018 and September 20, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: Two letters of opposition are included in the attachments. No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Mr. Reagan is seeking a rezoning of his 15.1-acre property, to use the property for residential and agricultural processes and have more than one accessory structures on the property.

City Ordinance Requirements: Article XXII Sections 27-1001 – 27-1419 and Article XXI Sections 27-501 - 27-1000

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The character of the neighborhood is low density, large-lot residential and fairly rural in nature.

2. The zoning and uses of properties nearby and the proposed uses expected compatibility with them.

Nearby properties are zoned R-1 Single Family and consist primarily of large lot residences; the change from R-1 Single Family to A-G agricultural would not conflict with nearby uses. Although this would be the only agricultural zoning in the vicinity.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions be detrimental affect nearby property?*

The removal of restrictions on the property is not foreseen to have a negative effect on nearby property. The only difference removal of the current restrictions would make is that they owner could legally have additional accessory structures.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.*

While the proposed use is not necessary for the convenience or welfare of the public, it will not likely impact the use, visual quality, or marketability of nearby properties if the neighbor's concerns and other issues noted in staff comments can be mitigated.

6. *The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.*

The proposed change would not increase the traffic or parking demands on the property.

7. *The degree of conformance of the proposed use to the Master Plan.*

The Master Plan designates the parcel as rural-density residential; agricultural use would not be incompatible with that designation.

8. *The extent to which the proposed use could cause environmental harm or enhance the environment.*

The proposed use is not foreseen to have any effect on the natural environment.

9. *The extent to which utilities and public services are available and adequate to serve the proposed use.*

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. Storm water control

Existing

d. Police

Police service is provided by District #444

e. Fire

Fire service is provided by District #4

f. Transit

N/A

g. Schools

Kansas City, Kansas USD 500

h. Streets

See item #6 above

10. The economic impact of the proposed use on the community.

The proposed use is not foreseen to have an economic impact on the community.

11. The capability of the proposed use to meet applicable ordinance requirements.

Under the agricultural zoning, the accessory buildings would be in compliance with the accessory use ordinance.

12. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal.

KEY ISSUES

Neighbor concerns via letter.
Conservation District concerns
Incomplete demolition

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Change of Zone Application #3167, subject to:

Urban Planning and Land Use Comments:

1. How many structures are currently on the property and what are their uses? 3
2. Do you plan to keep livestock on the property? Yes
3. Apparently, livestock are already being kept on the property according to comments by the Conservation District and the neighbor. This is legal as they have a 15-acre tract.
4. The Conservation department indicates over grazing and potential erosion issues with the current level of pasture maintenance.
5. The neighbor indicates significant smell and pest (rodents, flies and fleas) issues since the livestock arrived.
6. There were no issues raised from the neighborhood meeting. The neighbors that wrote the opposition letter did not attend the neighborhood meeting.

Code Enforcement Comments:

1. Property still has a portion of a foundation left from a previous demolition. The demolition is not complete until the foundations are removed.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None
- B) Items that are conditions of approval (stipulations):
- 1) None.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Stipulations:

1. The owner meet with the Conservation District and implement their best practice recommendations.
2. All livestock, structures, and manure/manure spreading be kept 100 feet from the southern property line and that all runoff from areas where there is manure and/ or livestock away from the southern neighbor.
3. The remainder of the foundation related to the demolition be built upon or removed within 18 months.
4. Items 1-3 must be completed within 1 year. The rezoning ordinance will not be published until items 1-3 have been completed.

5. If approved by the Board of Commissioners a \$50 ordinance publication fee is due immediately.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3167 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Aerial Map
Zoning Map
Letters of opposition

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	September 10, 2018	September 27, 2018
Rezoning	Approval	

STAFF CONTACT: **Rob Richardson**
 rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3167 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #3167, as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Non-Consent Agenda Starts At 46:20:

CHANGE OF ZONE APPLICATION #3167 – DWIGHT REAGAN – SYNOPSIS:

Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural activities at 3504 North 49th Drive **Detailed Outline of Requested Action:** Mr. Reagan is seeking a rezoning of his 15.1-acre property, to use the property for residential and agricultural processes and have more than one accessory structures on the property.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Dwight Reagan, 3504 North 49th Drive, Kansas City, Kansas
- ❖ There was one gentleman present that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 54:57: Planning Director Richardson stated that given that the applicant intends to rebuild the staff would amend number three relating to the existing foundation be removed or built upon within 18 months. The staff recommends approval subject to the stipulations in the staff report. He would also suggest that the applicant meet with his neighbors concerning the odor and pests coming off the property to help alleviate their concerns.

Motion and Vote starts at 56:11:

On motion by Dr. Serda, seconded by Dr. Neal, the Planning Commission voted as follows to recommend **APPROVAL of Change of Zone Application #3167:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How many structures are currently on the property and what are their uses? 3
2. Do you plan to keep livestock on the property? Yes
3. Apparently, livestock are already being kept on the property according to comments by the Conservation District and the neighbor. This is legal as they have a 15-acre tract.
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Code Enforcement Comments:

1. Property still has a portion of a foundation left from a previous demolition. The demolition is not complete until the foundations are removed.

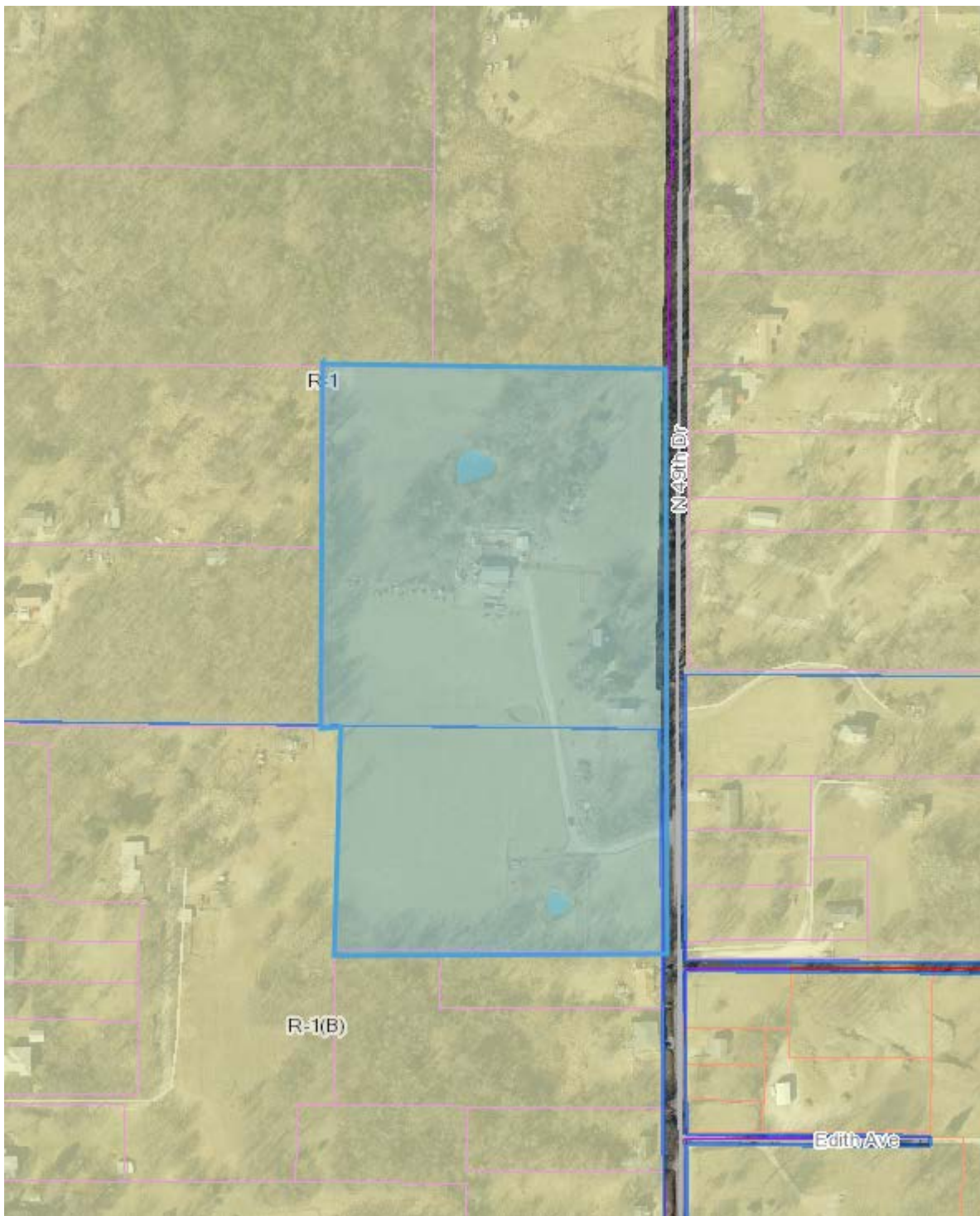
Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None
- B) Items that are conditions of approval (stipulations):
- 1) None.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Stipulations:

- 1. The owner meet with the Conservation District and implement their best practice recommendations.**
- 2. All livestock, structures, and manure/manure spreading be kept 100 feet from the southern property line and that all runoff from areas where there is manure and/ or livestock away from the southern neighbor.**
- 3. The remainder of the foundation related to the demolition be built upon or removed within 18 months.**
- 4. Items 1-3 must be completed within 1 year. The rezoning ordinance will not be published until items 1-3 have been completed.**
- 5. If approved by the Board of Commissioners a \$50 ordinance publication fee is due immediately.**





Letter from Neighbor

8/25/2018

David & Phyllis Jones 3374 N. 49th Drive , Kansas City Kansas 66104
To Urban Planning and Land Use

David & Phyllis Jones

As per our conversation, I am sending a written affidavit of our concerns to REF NO# 3167. We wish to state a comment against this petition. The animals in the area located at 3504 N. 49th Drive, emits a offensive odor. The manure in thein the area that the livestock are kept is not removed or disposed of in a manner according to CODE1988,7-100:ORDN00-221,2,6-5 2003 so as to prevent obnoxious fleas, and large flies that can spread disease and has become a bothersome nuisance. This has been the situation since the animals have arrived. When, the animals are placed in the upper lot close to the street, it is less than 50ft from our occupied dwelling. We no longer have the luxury of enjoying our abode at night for outdoor gathering and entertainment. We do not send our grandchildren out to play because of the large flies are known to bite. The stagnant watering hold attracts large quantities of biting mosquitoes. We have notice an influx of rodents in our area. So, for the sanity and sanctuary of our home we want to vote against this petition. Thanking you in advance

David & Phyllis Jones

From: Sheila Campbell <Sheila.Campbell@hallmark.com>

Sent: Thursday, August 30, 2018 4:15 PM

To: Flanders, Zachary <zflanders@wycokck.org>

Subject: RE: Change of Zone

Zachary,

I do not want to rezone the property at 3504 North 49th Street. The land next to that property has nothing to do with the property at 3504 North 49th Street.

The property next to that land has been there for years, and we do not wish to have it rezoned for the A-G Agriculture wish has been filed by Dwight Regan.

Thanks,
Sheila Campbell
Mable Cofield



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-64

GENERAL INFORMATION

Applicant:
Dallas Wolfe

Status of Applicant:
Property Owner
914 South 12th Street
Kansas City, Kansas 66105

Requested Action:
Renewal of a Special Use Permit for
an automotive sales and repair shop

Date of Application:
June 28, 2018

Purpose:
To operate an automotive sales and
repair shop on the applicant's
property

Property Location:
914 South 12th Street



Commission Districts:

1. Commissioner At Large: Harold (Hal) Walker
2. District Commissioner: Brian McKiernan

Existing Zoning: M-3 Heavy Industrial District

Existing Surrounding Zoning: North: C-3 Commercial District

South: M-3 Heavy Industrial District

East: R-2(B) Two-Family and C-3 Commercial District

West: M-3 Heavy Industrial District

Existing Uses: North: Automotive repair and storage

South: Service garage

East: Single family home

West: Residential units and a vacant lot

Total Tract Size: .28 acre

Master Plan Designation: The Armourdale Master Plan designates this property as Commercial

Major Street Plan: The Major Street Plan designates South 12th Street as a Local/Neighborhood Street.

Advertisement: The Wyandotte Echo – July 19, 2018
Letters to Property Owner – July 18, 2018, August 8, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Dallas Wolfe, is applying for a special use permit to continue operating an automotive sales and repair shop at 914 South 12th Street.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This neighborhood is comprised primarily of residential uses, with commercial uses wedged between 12th Street and Argentine Boulevard.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The zoning and uses of properties nearby include numerous industrial and commercially zoned lots being used for automotive businesses and automotive storage. The proposed use is compatible with the zoning and uses of properties nearby.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

Removal of the restrictions will not detrimentally affect nearby property, as the business is currently in operation, and is surrounded by similar uses.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use will not result in increasing the amount of vehicular traffic beyond the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience and welfare of the public. The proposed use, if properly managed and screened, will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Due to the location of the of the garage doors on the street frontage of 12th Street, the associated noise from a mechanic shop may become a nuisance for residences to the east. The used automotive sales will not create any noise that would become a nuisance, however.

9. *Whether the proposed use will pollute the air, land, or water.*

The proposed use will not pollute the air, land, or water.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use would not damage or destroy an irreplaceable natural resource.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public, health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners is minimal. If this application is denied, the applicant will have to find an alternate location and subsequently apply for another special use permit to conduct automotive sales and automotive repair.

12. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The potential quality of used cars and their continued presence could result in overcrowding of land.

PREVIOUS ACTIONS

Approval of SP-2016-25 on April 11, 2016.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 20, 2018. No one was in attendance at the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-64, subject to:

Urban Planning and Land Use Comments:

- 1. Please complete sidewalk on the north side to the edge of adjacent pavement:**



Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None.

Business License comments:

- 1. The auto dealer at this location has filed the required occupation tax application and is current and renewed for this calendar year. However, the auto repair shop has still yet to renew and is in delinquent status.

Staff Conclusion:

Subject to approval, staff stipulates the following:

- 1. This special use permit shall be valid for two (2) years
- 2. Overhead doors shall be closed when vehicles are being worked on to prevent noise generated from the machinery projecting across the street
- 3. Vehicles that are being repaired shall be stored in the rear of the property, away from public view of South 12th Street. All inoperable vehicles must be screened from public view.
- 4. No displays on the sidewalk – this includes signs, pennants, attention-attracting devices, etc.
- 5. Comply with the aforementioned stipulations.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-64** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes

Aerial image

Zoning image

Photographs of property

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	August 13, 2018	August 30, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders, AICP**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-64** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-64**, as it is not in compliance with the City Ordinances and as it will not promote the public

health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-64 – DALLAS WOLFE WITH 12TH STREET AUTO SALES – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-25 – expired 4/28/2018) for auto sales at 914 South 12th Street. **Detailed Outline of Requested Action:** The applicant, Dallas Wolfe, is applying for a special use permit to continue operating an automotive sales and repair shop at 914 South 12th Street.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to APPROVE Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Please complete sidewalk on the north side to the edge of adjacent pavement:



Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None.

Business License comments:

1. The auto dealer at this location has filed the required occupation tax application and is current and renewed for this calendar year. However, the auto repair shop has still yet to renew and is in delinquent status.

Staff Conclusion:

Subject to approval, staff stipulates the following:

1. This special use permit shall be valid for two (2) years
2. Overhead doors shall be closed when vehicles are being worked on to prevent noise generated from the machinery projecting across the street

3. Vehicles that are being repaired shall be stored in the rear of the property, away from public view of South 12th Street. All inoperable vehicles must be screened from public view.
4. No displays on the sidewalk – this includes signs, pennants, attention-attracting devices, etc.
5. Comply with the aforementioned stipulations.



Aerial image



Zoning image



Photographs of property



Photographs of property



Photographs of property



Google Street View Imagery from October 2016



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-66

GENERAL INFORMATION

Applicant:
Darren Allen

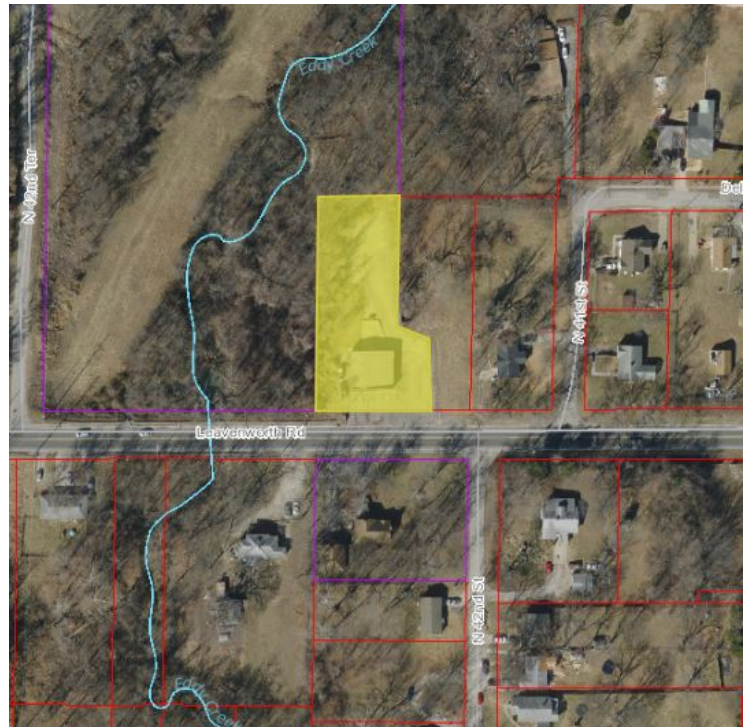
Status of Applicant:
Property Owner
4220 Leavenworth Road
Kansas City, Kansas 66104

Requested Action:
Approval of a special use permit
for a drinking establishment with
live entertainment

Date of Application:
June 29, 2018

Purpose:
To operate a drinking
establishment with live
entertainment

Property Location:
4220 Leavenworth Road



Commission Districts:

1. Commissioner At Large: Melissa Bynum
2. District Commissioner: Gayle E. Townsend

Existing Zoning: C-1 Limited Business District

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Wooded, vacant lot
South: Single family home across Leavenworth Road
East: Vacant lot
West: Wooded, vacant lot

Total Tract Size: .69 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Low-Density Residential.

Major Street Plan: The Major Street Plan designates Leavenworth Road as a Boulevard/Parkway.

Advertisement: The Wyandotte Echo – July 19, 2018
Letters to Property Owner – July 18, 2018, August 8, 2018 and September 20, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Darren Allen is applying for a special use permit to operate a drinking establishment with live entertainment at 4220 Leavenworth Road. Mr. Allen is taking over the establishment from Mr. Timothy Drummer, Rhythm and Blues Lounge, the original applicant in 2014 and renewal in 2016.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

This neighborhood is comprised of large lot single family homes. There are numerous vacant wooded lots surrounding the property in question.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

There is sporadic commercial nearby this property, however the majority of lots are zoned and used for residential use. The proposed use is not entirely compatible; however, it is a continuation of a bar that has existed on the property for some time.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The property is suitable for the uses to which it has been restricted. As mentioned above, it is a continuation of a bar that has existed on the property for some time. Removal of the restrictions will continue to not detrimentally affect nearby property.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic to the point (depending on upgrades and popularity of live music options), however, it will not exceed the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience and welfare of the public. The proposed use, if properly managed, will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property. There is potential for an establishment such as this to injure the marketability of adjoining property in the future, should the surrounding land be platted for denser residential development.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The noise that would normally be associated with such use could potentially create problems for near-by property should the establishment not be managed properly. However, this Special Use Permit is for the continuation of an establishment that has existed on the property for some time and has not caused noise issues in the past.

9. *Whether the proposed use will pollute the air, land, or water.*

The proposed use will not pollute the air, land, or water.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use would not damage or destroy an irreplaceable natural resource.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public, health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners is minimal. If this application is denied, the applicant will have to find an alternate location and subsequently apply for another special use permit to conduct automotive sales and automotive repair.

12. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use will not result in overcrowding of land or cause undue concentrations of population. The property in question is large enough to handle the expected number of patrons and is surrounded by large lots (most vacant) that will not be impacted by an influx of population.

PREVIOUS ACTIONS

- #SP-2014-8 approved in 2014 for live entertainment for two (2) years.
- #SP-2016-1 approved in 2016, renewal for live entertainment for

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 27, 2018. According to the applicant, there was one attendee at the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-66, subject to:

Urban Planning and Land Use Comments:

1. How will this business' operations differ from the previous bar and lounge?

Applicant Response: Operations will not differ from the previous owner. Age limit will change from 21 years old to 30 years of age.

2. Safety and Security:

- a. Please provide a security plan documenting how you will ensure safety and security of the patrons and the public.

Applicant Response: There will be security guards provided both inside and out. Security at the door will check IDs to ensure proper age to enter as well as the use of a metal detecting device. We also have parking patrol in place to ensure proper parking.

- b. Doors and windows will remain closed when entertainment is provided in order to mitigate noise.

Applicant Response: The doors and windows will remain closed at all times except to allow passage in and out of the main entrance.

- c. Applicant must employ a card scanner for live entertainment events.

Applicant Response: Lounge 42 has employed a card scanner for live entertainment dates and events.

- d. What days/hours will live entertainment be held?

Applicant Response: We will have a live DJ playing R&B and jazz until close – which is from 9:00 PM to 1:30 AM, Wednesday through Saturday. Jazz and blues bands will perform from 5:00 PM to 10:00 PM on Sundays.

- e. What type of live entertainment will be provided?

Applicant Response: We will have blues, jazz R&B and a live DJ.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) If changes are made to the existing access to the site, an updated access permit from KDOT shall be required.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Business License comments:

- 1. If approved, applicant will need to file and maintain the occupation tax application and regulatory licenses with our office for the business activities. Will there be any entertainment activities occurring at the business?

Applicant Response: We currently do not have any plans for entertainment activities we only have plans for a DJ. At this time, if anything changes I will be sure to contact your office to see how we should proceed.

Kansas Department of Transportation:

- 1. If changes are made to the access, an updated access permit will be required.

Staff Conclusion:

The applicant has worked with staff to answer questions within the report. The applicant is taking over the Rhythm and Blues Lounge LLC from the owner and operator, Mr. Timothy Drummer who has received two special use permits, 2014 (#SP-2014-8) and 2016 (#SP-2016-1) for live entertainment.

Mr. Darren Allen, operator of Lounge 42 LLC will conduct the establishment in a similar manner except for increasing the age admittance from 21 to 30 years of age. As previously stated, security will be present at the door and in the parking lot during when the DJ and jazz and blues bands are performing.

Subject to approval, staff stipulates that following:

- (1) The special use permit is valid for two (2) years.
- (2) Doors shall remain closed when music is being played or performed.
- (3) Sec. 27-464(c)(9) Retail businesses with parking areas or other outside customer-oriented areas within 100 feet of any residence shall restrict hours of operation to between 6:00 AM and 1:00 AM of the following day. The business shall close at 1:00 AM.
- (4) ID scanner shall be used during live entertainment dates and events.

(5) Apply for an occupational tax application with the Business Licensing Department.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-66 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Business Operation Letter
Applicant Response Letter
Neighborhood Meeting Minutes
Aerial image
Zoning image
Additional information
Layout
Photos of property

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-66 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-66**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing starts at 57:20:

SPECIAL USE PERMIT APPLICATION #SP-2018-66 – DARREN ALLEN WITH LOUNGE 42 – SYNOPSIS: Special Use Permit for a drinking establishment at 4220 Leavenworth Road. ***Detailed Outline of Requested Action:*** The applicant, Darren Allen is applying for a special use permit to operate a drinking establishment with live entertainment at 4220 Leavenworth Road. Mr. Allen is taking over the establishment from Mr. Timothy Drummer, Rhythm and Blues Lounge, the original applicant in 2014 and renewal in 2016.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated July 18, 2018; and
7. The Notices to property owners dated July 18, 2018 and August 8, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Planning Commissioner Jones recused herself at 7:29 p.m.

Present in Support:

- ❖ Darren Allen, applicant, Lounge 42, 4220 Leavenworth Road, Kansas City, Kansas 66104

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:03:12: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts at 1:03:22:

On motion by Dr. Serda, seconded by Mr. Reasons, the Planning Commission voted as follows to **RECOMMEND APPROVAL** of Special Use Permit Application #SP-2018-66:

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Not Present
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 7 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How will this business' operations differ from the previous bar and lounge?

Applicant Response: Operations will not differ from the previous owner. Age limit will change from 21 years old to 30 years of age.

2. Safety and Security:

- a. Please provide a security plan documenting how you will ensure safety and security of the patrons and the public.

Applicant Response: There will be security guards provided both inside and out. Security at the door will check IDs to ensure proper age to enter as well as the use of a metal detecting device. We also have parking patrol in place to ensure proper parking.

- b. Doors and windows will remain closed when entertainment is provided in order to mitigate noise.

Applicant Response: The doors and windows will remain closed at all times except to allow passage in and out of the main entrance.

- c. Applicant must employ a card scanner for live entertainment events.

Applicant Response: Lounge 42 has employed a card scanner for live entertainment dates and events.

- d. What days/hours will live entertainment be held?

Applicant Response: We will have a live DJ playing R&B and jazz until close – which is from 9:00 PM to 1:30 AM, Wednesday through

Saturday. Jazz and blues bands will perform from 5:00 PM to 10:00 PM on Sundays.

e. What type of live entertainment will be provided?

Applicant Response: We will have blues, jazz R&B and a live DJ.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) If changes are made to the existing access to the site, an updated access permit from KDOT shall be required.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Business License comments:

- 1. If approved, applicant will need to file and maintain the occupation tax application and regulatory licenses with our office for the business activities. Will there be any entertainment activities occurring at the business?

Applicant Response: We currently do not have any plans for entertainment activities we only have plans for a DJ. At this time, if anything changes I will be sure to contact your office to see how we should proceed.

Kansas Department of Transportation:

- 1. If changes are made to the access, an updated access permit will be required.

Staff Conclusion:

The applicant has worked with staff to answer questions within the report. The applicant is taking over the Rhythm and Blues Lounge LLC from the owner and operator, Mr. Timothy Drummer who has received two special use permits, 2014 (#SP-2014-8) and 2016 (#SP-2016-1) for live entertainment.

Mr. Darren Allen, operator of Lounge 42 LLC will conduct the establishment in a similar manner except for increasing the age admittance from 21 to 30 years of age. As previously stated, security will be present at the door and in the parking lot during when the DJ and jazz and blues bands are performing.

Subject to approval, staff stipulates that following:

- (1) The special use permit is valid for two (2) years.

- (2) Doors shall remain closed when music is being played or performed.**
- (3) Sec. 27-464(c)(9) Retail businesses with parking areas or other outside customer-oriented areas within 100 feet of any residence shall restrict hours of operation to between 6:00 AM and 1:00 AM of the following day. The business shall close at 1:00 AM.**
- (4) ID scanner shall be used during live entertainment dates and events.**
- (5) Apply for an occupational tax application with the Business Licensing Department.**

Planning Commissioner Jones rejoined the Commission at 7:35 p.m.

Lounge 42

Owners: Darren Allen and Alfie Carter

Who we are...

Darren Allen, resident of Kansas City, Kansas for over 48 years. I have been employed by UPS for over 32 years. I am currently still in service. I am also the owner of BowDown Carpet Cleaning which was established in 1999 serving the greater metropolitan area for 19 years. Along with BowDown Carpet Cleaning I own Allen-Calandra properties with 15 rehabbed units which offers housing in Kansas City, Kansas area. I am a member of Widow Son's Lodge #17 for over 15 years. My goal has been to give back to the community which helped raise me.

Alfie Carter, resident of Kansas City, Kansas for over 45 years. I served 4 years on the U.S.S Independence, titled "America's first response teams" in Operation Desert Shield and Storm. I currently work at Union Pacific Railroad I have been proudly serving for the past 15 years. I also am the owner of Carter Hauling helping keep the community free of debris and unwanted goods. My goal is to show my children that hard work and discipline is something that we all should live by.

Our vision for Lounge 42...

Being a previous employee of the Rhythm & Blues Lounge I stumbled upon several improvements that could be made to better the establishment for it's guest and community. We took it upon ourselves to set out and make the changes that were necessary to boost the all around productivity of the establishment.

One of the first big changes we have made is providing the staff with interpersonal skills training. The next thing we focused on is bumping the age limit to 30 with no sports attire to attract the proper crowd. To assist with crowd control we will be having heavier security with parking lot control. All events will be contained inside the building, keeping all doors and windows closed which will help keep down noise level. During the renovation process we went in and added additional lighting. In addition to the lighted we added on the Smokers Lounge out back to keep the patrons within our walls instead of them congregating in the parking lot which makes for a safer environment.

Hours of operations and task...

Days open for business: Wednesday-Sunday

Wednesday-Saturday:

Happy hour will range from **5:00pm-9:00pm**. During this time music will be played by a computer over a low wattage speaker.

9:00pm- 1:30am a live DJ will be playing R&B and Jazz until close.

Sunday:

1:00pm-10:00pm during these hours there will be a series of sports channels playing continuously.

5:00pm-10:00pm live Jazz and Blues bands as scheduled computer played music between sets.

08/03/18
Lounge 42 L.L.C
4220 leavenworth rd
Kansas city, Kansas 66104

Land Use # SP-18402-00047 (Ref: SP-2018-66)

Urban Planning and Land Use Comments:

1. How will this business' operations differ from the previous bar and lounge?

Operations won't differ from the previous owner. Age limit will change from 21 years of age to 30 years of age.

2. Safety and Security

a. Please provide a security plan documenting how you will ensure safety and security of the patrons and the public.

There will be security guards provided both inside and out. Security at the door will check I.D. to ensure proper age to enter as well as the use of metal detecting device. We also have parking patrol in place to ensure proper parking.

b. Doors and windows will remain closed when entertainment is provided in order to mitigate noise

The doors and windows will remain closed at all times except to allow passage in and out the main entrance.

c. Applicant must employ a card scanner for live entertainment events

Lounge 42 has employed a card scanner for live entertainment dates and events.

What days/hours will live entertainment be held?

One Sunday a month. Hours 5pm-10pm.

What type of live entertainment will be provided?

Blues or Jazz Band

Urban Planning and Land Use Meeting Minutes

Friday, 07.27.2018 5:00pm

Attendees

Alfie Carter Owner
Darren Allen Owner
Michelle Oetting Resident

Agenda

Public concerns

Notes

- Meeting started at 5pm. The only resident in attendance was Michelle Oetting. Ms Oetting attended meeting to wish the business much success and expressed no issues. Resident did mention that sometimes the patrons blocked her driveway.
- Meeting adjourned at 5:45pm.

Action Items

Addressed the concerns of the resident and gave contact information of the Owners. Advised Ms Oetting, Parking Patrol will canvas the surrounding neighborhood to ensure all patrons are properly parked. Also stated that with the widening of Leavenworth Rd, customers will be able to park on Leavenworth Rd. That should eliminate some of the need to park in the surrounding neighborhood.

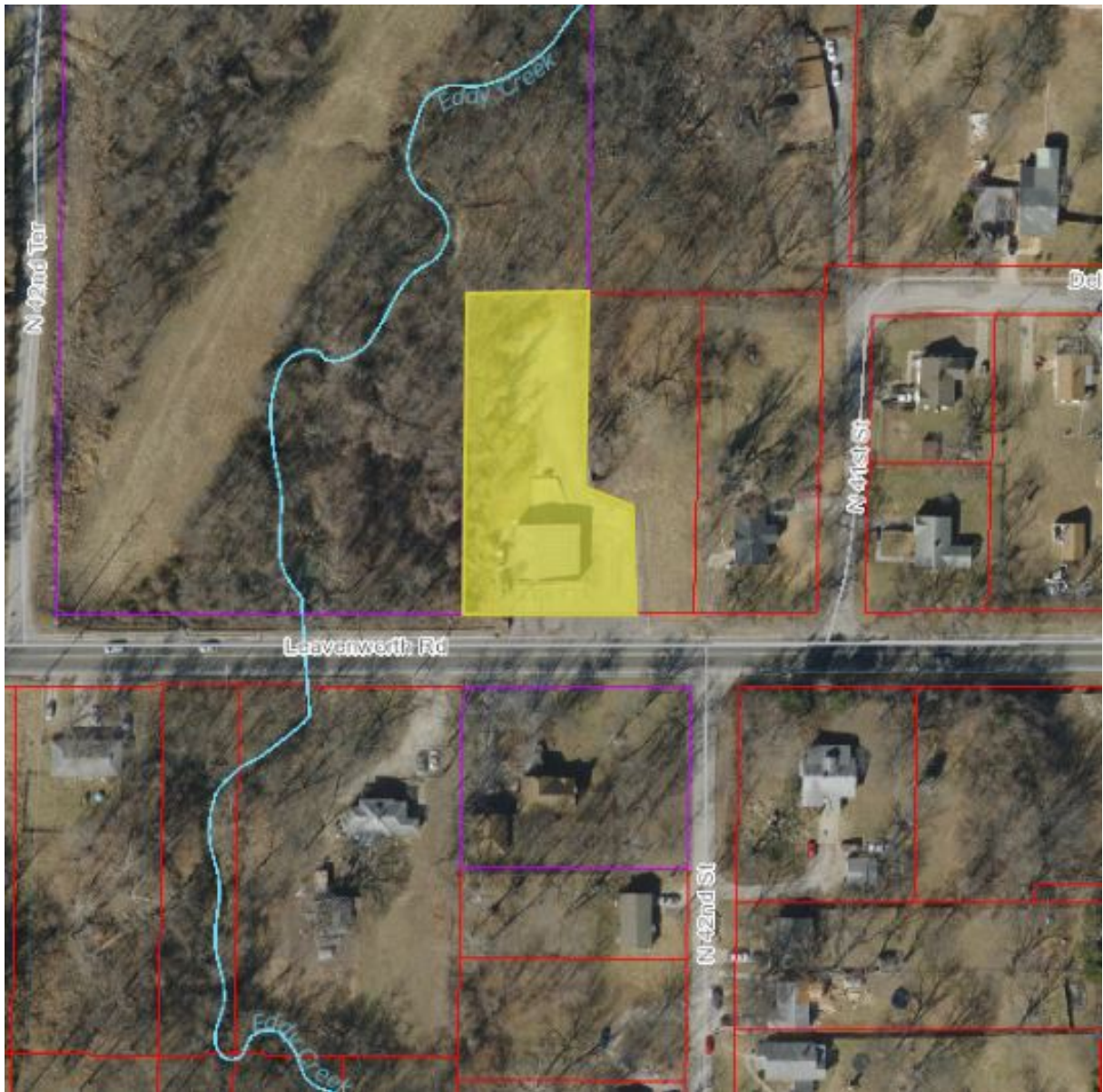


Figure 1. Aerial photograph of 4220 Leavenworth Road (provided by UG Maps).

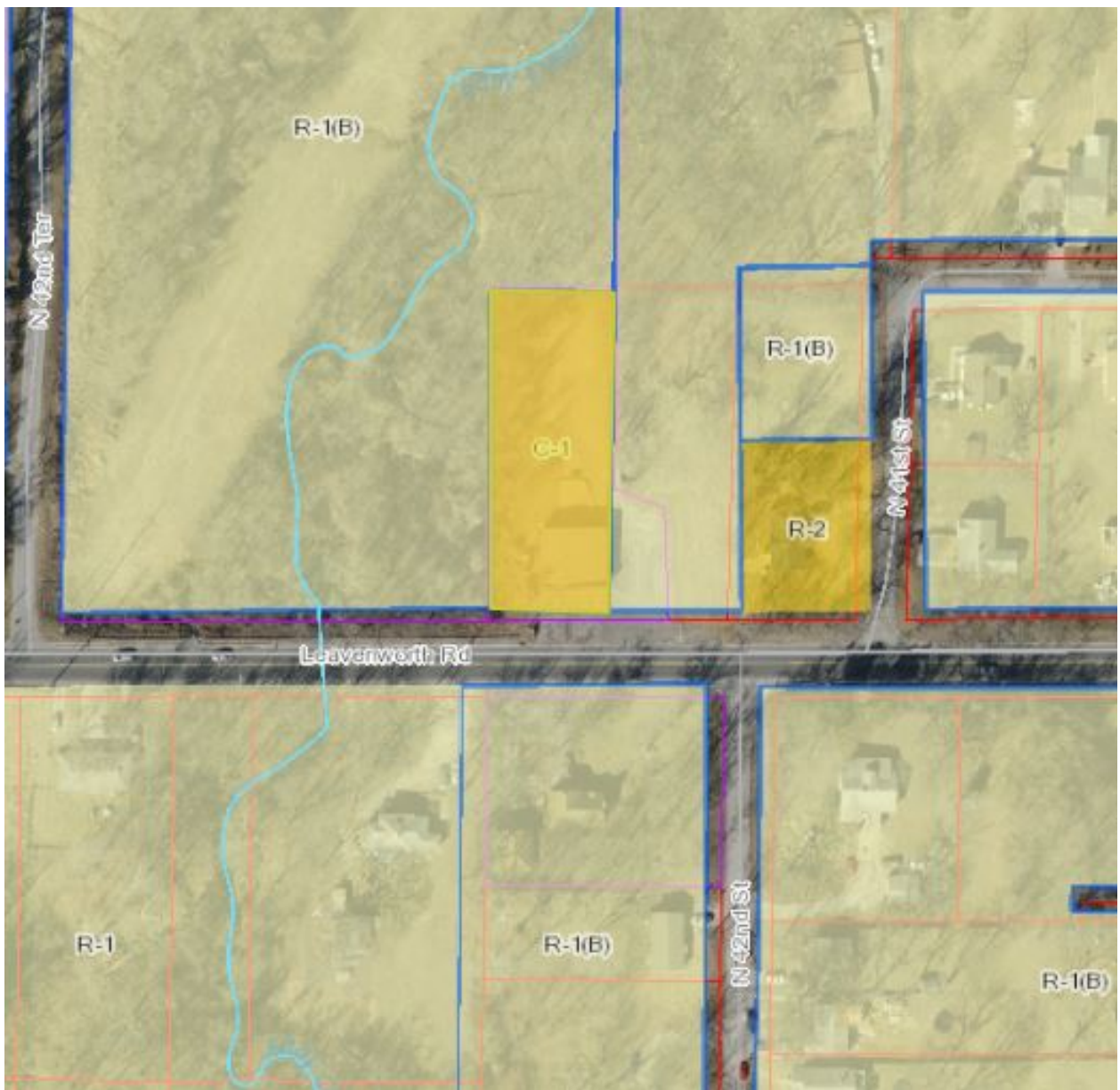


Figure 2. Current zoning of 4220 Leavenworth Road (provided by UG Maps).

“6) Additional information:

The new lounge 42 plans to follow the path of the previous R&B Lounge but with a different take offering a live band which includes Jazz and blues while offering the community a safe environment, a place to get that down-home feeling of where music actually started from. Operating hours range from 8:00 pm to 1:00 am Thursday thru Saturday. A couple of week night happy hours for the working class to come and enjoy a relaxed stress-free environment from 6pm-12 AM. All events will be held inside to make it more neighborhood friendly. There will be 1-2 off duty police officers on site depending on the crowd size. There will be security inside as well. They will be required to have crowd control experience also. We hope to become family friendly with our surrounding neighbors offering charity clean up drives from time to time. I think Lounge 42 will be a major contributor to the major Kansas City Kansas area.”

Additional information

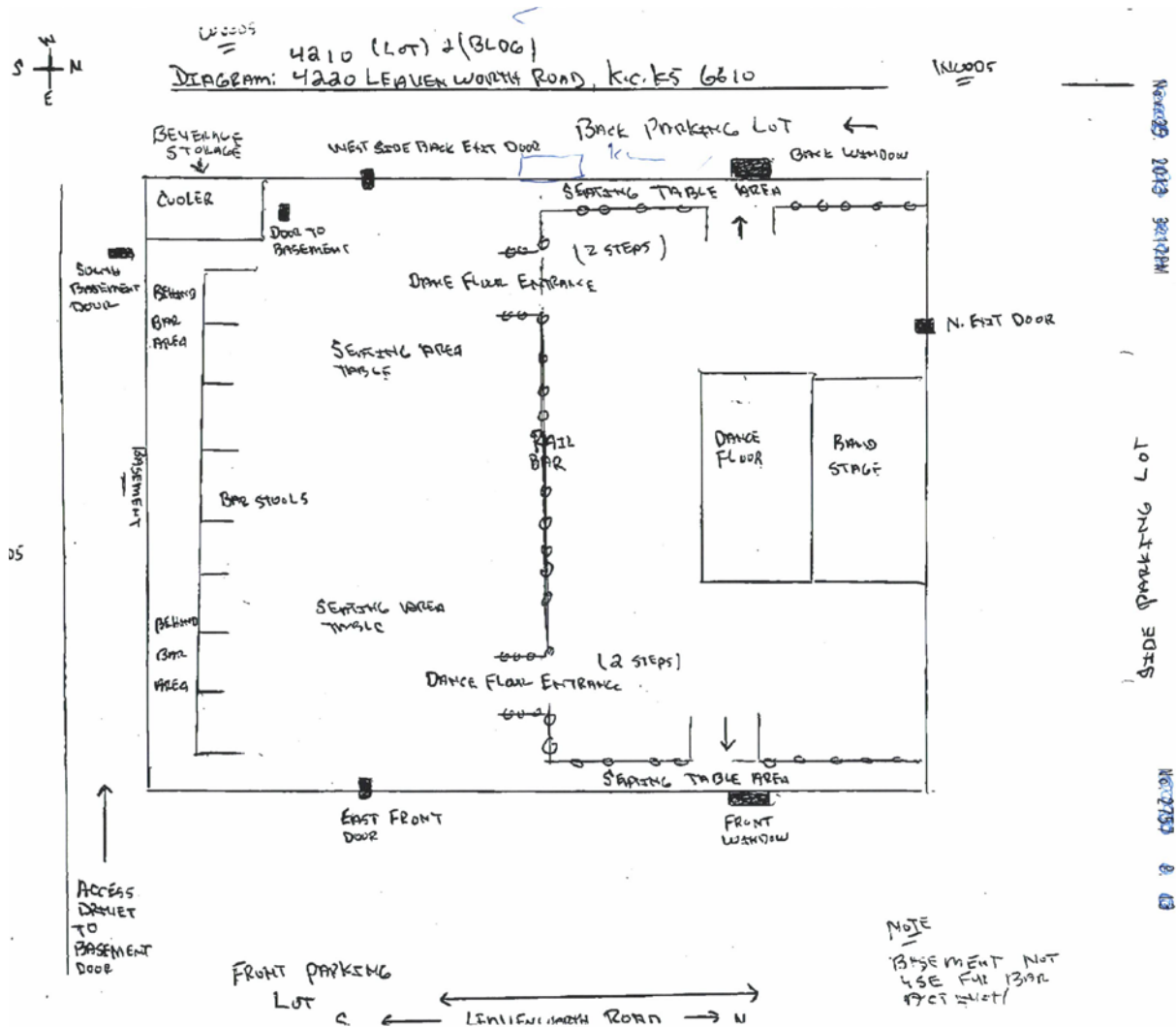


Figure 3. Floor Plan of 4220 Leavenworth Road (provided by the applicant).



Figure 4. Photograph of 4220 Leavenworth Road looking north (provided by the applicant).



Figure 5. Photograph of 4220 Leavenworth Road inside the building (provided by the applicant).



Figure 6. Photograph of Leavenworth Road looking west from 4220 Leavenworth Road (provided by the applicant).



Figure 7. Photograph of parking lot at 4220 Leavenworth Road looking southwest (provided by the applicant).



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-69

GENERAL INFORMATION

Applicant:
Jack McDonald

Status of Applicant:
Representative
Environmental
Management of KC LLC
861 South 66th Terrace
Kansas City, KS 66111

Requested Action:
Renewal of a special use
permit

Date of Application:
July 12, 2018

Purpose:
To continue operation of
an oil recycling facility

Property Location:
861 South 66th Terrace



Existing Zoning: M-3 Heavy Industrial District

Existing Surrounding Zoning: North: M-3 Heavy Industrial District
South: M-3 Heavy Industrial District
East: M-3 Heavy Industrial District
West: M-3 Heavy Industrial District

Existing Uses: North: Vacant
South: Industrial
East: Industrial
West: Industrial

Total Tract Size: 4.29 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Heavy Industrial

Major Street Plan: The City-Wide Master plan designates 66th Terrace as a local street

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: This is a proposal to continue to operate the facility in the Muncie Industrial Park that processes petroleum products, primarily so that they can be reused for fuel. The special use permit is necessary because it is considered to be a solid waste processing, storage, and transfer site. The proposal was originally approved in 1998.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

This is an industrial area north of the Kansas River and south of Kaw Drive.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The zoning and uses are set out above. This use has been in place for ten years and we are not aware of any compatibility issues.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The same restrictions are proposed to remain.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

The use conforms to the City-Wide Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

This has not been an issue in the past, and we do not foresee significant changes.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

Staff is not aware of any problems with the property that would substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

This has not been an issue in the past, and we do not foresee significant changes.

9. *Whether the proposed use will pollute the air, land or water.*

If operated appropriately, this should not be an issue.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

If operated appropriately, this should not be an issue.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The Planning Commission will need to determine this balance.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not an issue.

PREVIOUS ACTIONS

This was originally approved in 1998 for a ten-year period. It was approved again in 2008 for another ten-year period.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting August 20, 2018. No one was in attendance other than the applicant.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-69, subject to:

Urban Planning and Land Use Comments:

1. Does the operation emit any odors?

Applicant Response: There is no odor because the operation uses a thermal oxidizer that incinerates gases that could be a nuisance. The operation has been through Unified Government air quality division process.

2. Have there been any complaints by neighbors?

Applicant Response: The property owner to the north has generated several complaints, which resulted in audits by KDHE, EPA, and the Fire Marshall. No problems were found during the audits. The complaints may have been in retaliation to an incident involving the property owner to the north wanting to burn a large brush pile near the shared property line.

3. If approved, recommend approval for another ten (10) year period

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-69** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
1998 Letter of operation

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-69** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2018-69, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-69 – JACK MCDONALD WITH ENVIRONMENTAL MANAGEMENT OF KC – SYNOPSIS: Renewal of a Special Use Permit (#SP-2008-13 – expired 5/1/2018) for an oil recycling facility at 861 South 66th Terrace. **Detailed Outline of Requested Action:** This is a proposal to continue to operate the facility in the Muncie Industrial Park that processes petroleum products, primarily so that they can be reused for fuel. The special use permit is necessary because it is considered to be a solid waste processing, storage, and transfer site. The proposal was originally approved in 1998.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to APPROVE Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Does the operation emit any odors?

Applicant Response: There is no odor because the operation uses a thermal oxidizer that incinerates gases that could be a nuisance. The operation has been through Unified Government air quality division process.

2. Have there been any complaints by neighbors?

Applicant Response: The property owner to the north has generated several complaints, which resulted in audits by KDHE, EPA, and the Fire Marshall. No problems were found during the audits. The complaints may have been in retaliation to an incident involving the property owner to the north wanting to burn a large brush pile near the shared property line.

3. If approved, recommend approval for another ten (10) year period

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

1) None.

B) Items that are conditions of approval (stipulations):

1) None

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

EMI *Environmental Management*

P.O. Box 8691 Prairie Village, KS 66208

(913) 262-9344 (816) 356-7481

Environmental Management of KC, Inc. is a woman owned business (WBE) operating under the laws and regulations of the State of Kansas. Current mailing address is P.O. Box 8691, Prairie Village, Kansas, 66208. EPA # KSR000007229

STATEMENT OF OPERATIONS

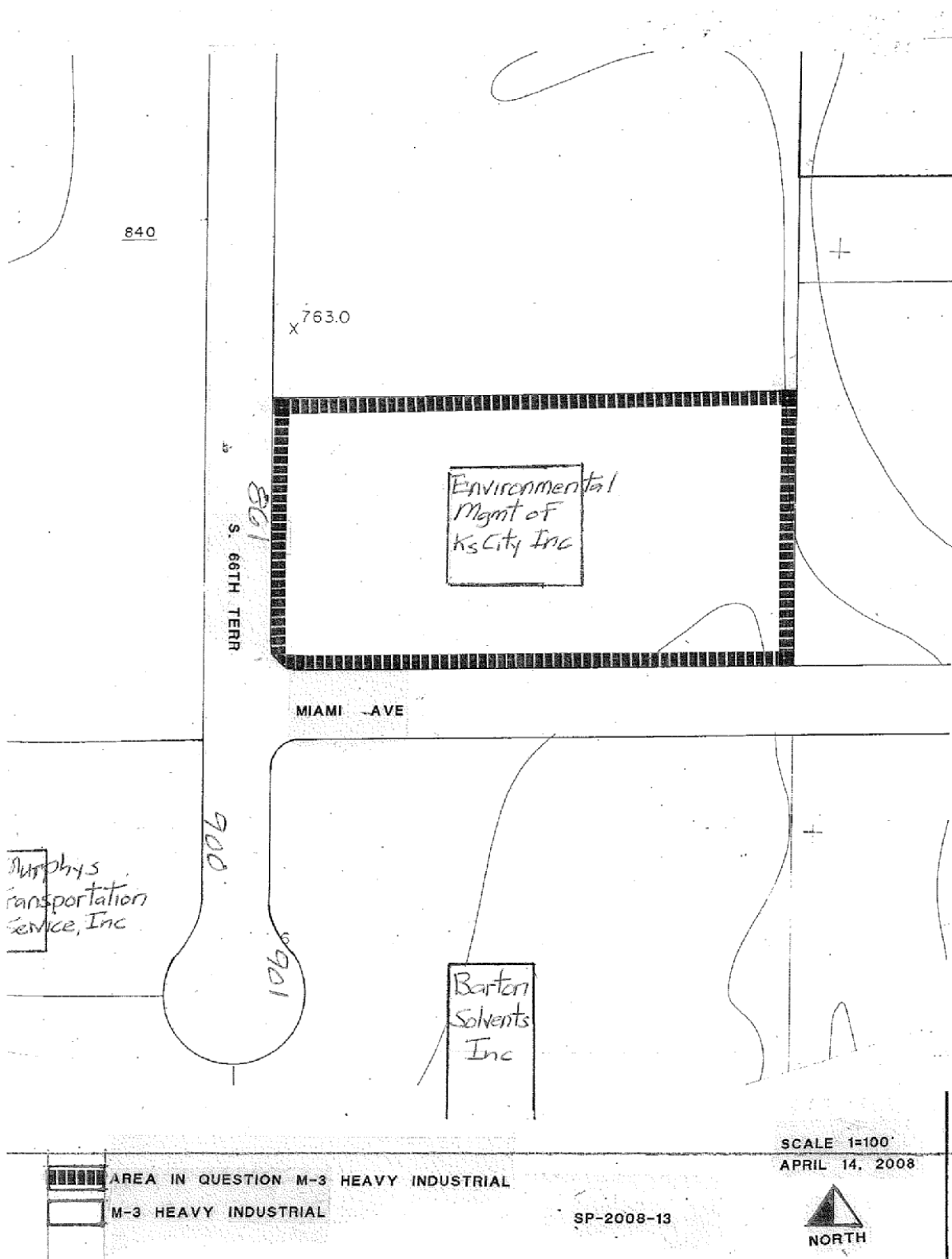
Environmental Management's (EMI) operations will consist of a permitted facility accepting petroleum products to store for processing at our recycling facility. EMI's facility consists of 100,000 gallon capacity steel storage tanks situated within an engineered, approved concrete dike containment which complies with all current Kansas Department of Health & Environment and Kansas City, Kansas guidelines for above ground storage tank facilities. The dike is designed to hold 120% capacity of all tanks. Also within the dike containment will be a self contained 8,000 gallon capacity oil/water separator/treatment system.

EMI's operation will consist of the following:

Upon receiving appropriate documentation (generators certification form attached) that the waste to be accepted is of a petroleum background and is not hazardous by current EPA guidelines, a permitted transport or vacuum truck, will bring the product to the facility, along with a bill of lading and deposit the fluid into one of the above ground storage tanks. The fluid will then be treated through the oil/water separator/treatment system to effectively separate the petroleum product from any water and subsequently treat the water for disposal. The separated petroleum product will be pumped into one of the above ground storage tanks and the treated water will be discharged into the sanitary sewer system per the Kansas City, Kansas discharge permit to be obtained from Glen Gill.

The petroleum product will be marketed and sold to permitted facilities which comply with all current EPA and KDHE guidelines. All personnel involved in the receiving, operation and maintenance of EMI will be 40 hour OSHA Hazmat trained and have all appropriate licensing for handling and transporting of petroleum products. No products will be transported to and deposited into the facility without first having a completed and accepted certification form and an EMI representative being present.

When not in operation, the facility will be inaccessible to drive-in traffic and all entry ways and all tanks will be securely locked. EMI will store emergency spill containment material along with emergency materials such as two twenty pound fire extinguishers in the facility as specified in the Spill Containment Control Plan which will be attached to the discharge permit.



Compliance Report

Source ID No: 2090247	Source Name: EMI
Source 861 S 66th. Terrace	Contact Name: Jared McDonald
Location: Kansas City, KS, 66111	Mailing Address:
Title V Designation B	
Mega Site Designation: N/A	Phone #: 913-287-1575

Investigation Date: 8/11/2016

- ☐ Full Compliance Evaluation (attach report)
- ☐ Partial Compliance Evaluation _____ of _____ (attach report)
- ☐ Evaluation Inspection (attach report)
- ☒ Complaint Investigation (attach report)

Check all that Apply:

- ☐ Part 60
Subpart(s) _____
- ☐ Part 61
Subpart(s) _____
- ☐ Part 63
Subpart(s) _____
- ☐ PSD
- ☐ Acid Rain

Report Requirement

- ☐ Part 60 ☐ Part 61 ☐ Part 63 ☐ Part 70 (permit semiannual, annual)
- ☐ Other (specify) _____

Compliance status at the time of inspection

- ☒ In ☐ Out ☐ Unknown

Remarks / Description of Activity and Results:

See attached form.

Inspector: Luke Rodriguez _____

Signature _____

Date _____

COMPLAINT FORM

Complaint ID: _____

Date/Time: 8/11/2016 / 10:42 AM**CATEGORY**

- ☒ **INDUSTRIAL**
☐ **DOMESTIC**

TYPE

- ☒ **Odor**
☐ **Smoke**
☐ **Fire**
☐ **Dust/Soot**
☐ **Other**

COMPLAINANT INFORMATIONName: Hugh McCollough Phone #: 913-551-7191Address: 11201 Renner BlvdWishes to Remain Anonymous? ☐ Yes ☒ No**SOURCE OF COMPLAINT**Name: EMI Source ID#: 2090247Address: 861 S 66th. Terrace**PROBLEM**

Complaint of smell fumes in the vicinity of EMI

RESULTS OF INVESTIGATION

I visited the EMI facility on Thursday August 11th, 2016. I did not notice any odors or visible emissions from outside the facility. I informed the Environmental Manager Jared McDonald that I was responding to a complaint of smelly fumes. I asked if any process changes had occurred or if any control equipment had failed recently. He explained that due to the design of their control equipment, the 3-way valves flip during power outages and cause a bypass of the thermal oxidizer. This situation can take up to 15 minutes to remedy for each power blip. On July 24th, 2016, the facility experienced intermittent power outages that kept the thermal oxidizer offline from 12:00 am to nearly 8:00 am. I reviewed the thermal oxidizer temperature logs and this was the only significant temperature drop and outage in the past month.

Follow-up? ☒ No ☐ Yes (see attached sheet)Investigated by: Luke Rodriguez

Complaint reviewed by: _____

Compliance Report

Source ID No: 2090247	Source Name: EMI
Source 861 S 66th. Terrace	Contact Name: Jarde McDonald
Location: Kansas City, KS, 66111	Mailing Address:
Title V Designation	
Mega Site Designation: N/A	Phone #: 913-287-1575

Investigation Date: 8/16/2016

- ☐ Full Compliance Evaluation (attach report)
- ☐ Partial Compliance Evaluation _____ of _____ (attach report)
- ☐ Evaluation Inspection (attach report)
- ☒ Complaint Investigation (attach report)

Check all that Apply:

- ☐ Part 60
Subpart(s) _____
- ☐ Part 61
Subpart(s) _____
- ☐ Part 63
Subpart(s) _____
- ☐ PSD
- ☐ Acid Rain

Report Requirement

- ☐ Part 60 ☐ Part 61 ☐ Part 63 ☐ Part 70 (permit semiannual, annual)
- ☐ Other (specify) _____

Compliance status at the time of inspection

- ☐ In ☐ Out ☐ Unknown

Remarks / Description of Activity and Results:

See attached form.

Inspector: Rollin Sachs _____

Signature _____

Date _____

COMPLAINT FORM

Complaint ID: _____

Date/Time: 8/16/2016 / 1:05 PM**CATEGORY**☒ **INDUSTRIAL**☐ **DOMESTIC****TYPE**☒ **Odor**☐ **Smoke**☐ **Fire**☐ **Dust/Soot**☐ **Other****COMPLAINANT INFORMATION**Name: Tom Tribble Phone #: 913-915-7630Address: 753 S. 66th TerrWishes to Remain Anonymous? ☐ Yes ☒ No**SOURCE OF COMPLAINT**Name: EMI Source ID#: 2090247Address: 861 S 66th. Terrace**PROBLEM**

Complaint of odor coming from controlled release at EMI. Multiple events occur over past months. Most noticed on weekends when complainant is working on adjacent property just north of EMI.

RESULTS OF INVESTIGATION

This is follow up to Luke R. investigation on August 11. Another division of EPA contacted DAQ about the same complaint Luke investigated, but had contact information this time. I called Tom Tribble on 8-16-16 about 1:105 PM. He informed me the odor has been ongoing for some time and has an audible hiss leading him to believe it is a controlled release. I told him we had investigated on the 11th and found the power outage issues. He said this was not a one time issue. I told him I would look into it further. I then called Jared McDonald at EMI. Jared explained they had an issue with the neighbor (Tom Tribble) when he wanted to burn a brush pile too close to the Hydrogen system at EMI. Since that time EMI has been inspected by multiple state and local agencies for all manners of regulation; i.e. storage tanks, fire suppression, water discharge, etc. Jared stated there is a potential for odors during power loss to the oxidize, as explained in Lukes report. Jared indicated his belief the reported odors and other agency investigations are a result of the brush pile icident earlier this summer. Jared also said the other agencies have not found any issues with the facility.

Follow-up? ☐ No ☐ Yes (see attached sheet)Investigated by: Rollin Sachs

Complaint reviewed by: _____



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-70

GENERAL INFORMATION

Applicant:

Liliana S. Gonzalez

Status of Applicant:

Owner
Liliana's Hair House
4402 Roswell Avenue
Kansas City, KS 66104

Requested Action:

Renewal of a Home Occupation Special
Use Permit

Date of Application:

July 27, 2018

Purpose:

To operate an in-home hair salon

Property Location:

4402 Roswell Avenue

Existing Zoning: R-1 Single Family
District



Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Large lot residential
South: Large lot residential
East: Large lot residential
West: Large lot residential

Total Tract Size: 0.79 acre

Master Plan Designation: The City-Wide Master Plan designates this property for low density residential use

Major Street Plan: The City-Wide Master Plan classifies Roswell Avenue as a local street

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, is seeking approval to continue to operate a beauty shop in her home at 4402 Roswell Avenue.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

This area is residential in nature.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The zoning and the uses of properties nearby are set out above. A small beauty shop operation could be compatible with the residential uses.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The removal of the restrictions are unlikely to affect nearby property if the operation remains small.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use will not result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The automotive use is unlikely to have an effect on nearby residential uses.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

This is not expected to be an issue.

9. *Whether the proposed use will pollute the air, land or water.*

This is not expected to be an issue.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public health, safety, and welfare is minimal. If this application is denied, the applicant will have to find an alternate location to operate her salon.

12. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use will not result in overcrowding of land.

PREVIOUS ACTIONS

Special Use Permit #SP-2013-31 was approved in 2013.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 27, 2018. According to the applicant the only people present were family members.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-70, subject to:

Urban Planning and Land Use Comments:

1. Has your operation changed since the approval of the SUP in 2013?
Applicant Response: See attachment providing comments from the applicant.
2. Approval for 10 years

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-70** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Aerial image
Zoning map
Information submitted by applicant
Neighborhood Meeting Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Rob Richardson**
 rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-70** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** of Petition #**SP-2018-70**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-70 – LILIANA S. GONZALEZ WITH LILIANA'S HAIR HOUSE – SYNOPSIS: Renewal of a Home Occupation Special Use Permit (#SP-2013-31 – expired 5/30/2018) for a beauty shop at 4402 Roswell Avenue. **Detailed Outline of Requested Action:** The applicant, is seeking approval to continue to operate a beauty shop in her home at 4402 Roswell Avenue.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda."

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present
Motion to APPROVE Passed: 8 to 0	
Subject to:	

Urban Planning and Land Use Comments:

1. Has your operation changed since the approval of the SUP in 2013?

Applicant Response: See attachment providing comments from the applicant.

2. Approval for 10 years

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None**
- B) Items that are conditions of approval (stipulations):
1) None**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None**





July 30, 2018

To whom it may concern,

My name is Lilliana Sandoval-Gonzalez, I want to continue running my hair styling business that has operated in the basement of the West side of my home for the past seven years.

I will continue to operate as a single person shop, where I will be servicing one client at a time. My house has a driveway, which can easily accommodate three vehicles, therefore not interfering with my neighbors and their space. My shop is separate from my house, as well as a client restroom to the left of the doorway in the shop.

I will not have a set schedule, since I only work by appointment, but my appointments will be any time from 7am-7pm Tuesday through Saturday. I will not have retail sales. The only items for sale will be my services, such as haircuts, facial waxes, color, and highlights.

I work as a second grade teacher in an area Catholic School, but I supplement my teacher income with the shop in my home. The demand for my expertise and skills have made me want to continue operating my shop in the comfort of my home.

Application Number: SP-2018-70
Date and Location: August 27, 2018
Meeting called to order at: 6 p.m.
Number of people in attendance: 5

Introductions:

Presentation by applicant: I, Liliana, wanted to present the name of my business, but my family already knows it. I proceeded to tell them that the days and hours of operation will depend on my client needs. I explained where my clients would park and what services would be available. I then opened it up for questions and comments.

Questions and answers (include the following):

There were no questions, since my family were the only ones in attendance.

Meeting adjourned at: 7 p.m.

Minutes taken by: Raul Umberto Gonzalez Loya

Participants in Attendance

Monday, August 27, 2018

Meeting began: 6 p.m.

Residence of Liliana Sandoval-Gonzalez
4402 Roswell Ave., Kansas City, KS. 66104

1. Liliana Sandoval-Gonzalez
2. Raul Gonzalez
3. Margarita Gonzalez
4. Raul Gonzalez
5. Raul Gonzalez
6. _____
7. _____
8. _____
9. _____
10. _____



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-71

GENERAL INFORMATION

Applicant:
Steve Senecal

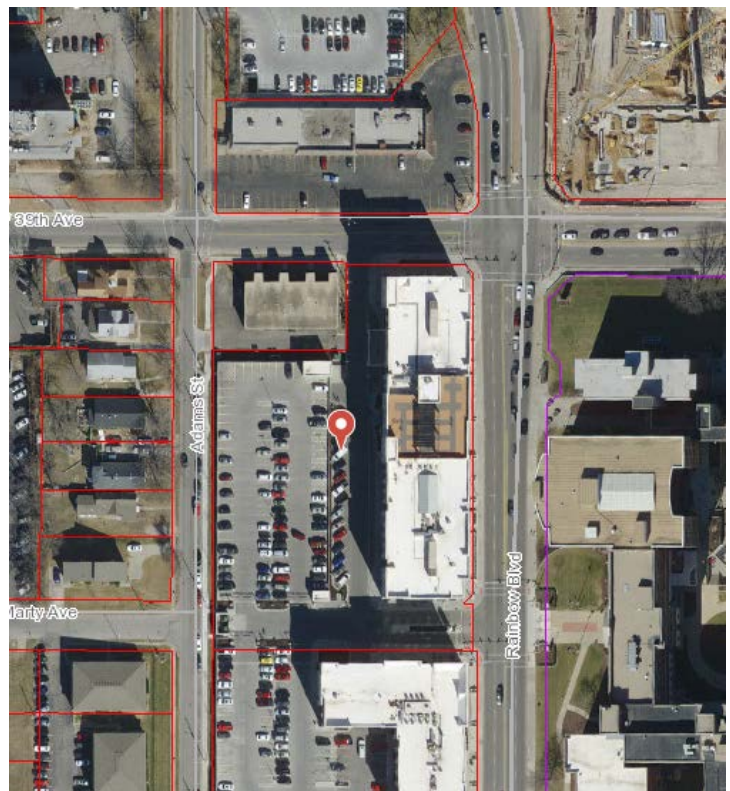
Status of Applicant:
Representative
Tanner's Bar and Grill
3900 Rainbow Boulevard
Kansas City, KS 66103

Requested Action:
Approval of a Special Use Permit

Date of Application:
July 13, 2018

Purpose:
To have live entertainment at a restaurant and bar

Property Location:
3900 Rainbow Boulevard (The primary address of the parcel is 3928 Rainbow Boulevard.)



Existing Zoning: Traditional Neighborhood Design District (TND)

Existing Surrounding Zoning: **North:** C-1 Limited Business District
South: TND Traditional Neighborhood Design District
East: RP-5 Planned Apartment District
West: RP-5 Planned Apartment District

Existing Uses: **North:** Shopping Center
South: Mixed Use Commercial
East: University of Kansas Medical Center
West: Apartment Building

Total Tract Size: 2.32 acres

Master Plan Designation: The Rosedale Master Plan designates this property as Urban Core Mixed Use.

Major Street Plan: The City-Wide Master Plan designates West 39th Avenue as a local street west of Rainbow Boulevard. Rainbow Boulevard is classified as a Class C Thoroughfare

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 20, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Steve Senecal, requests approval of a special use permit for live entertainment at Tanner's Bar and Grill. The proposed live entertainment is Karaoke on Friday nights from 8 pm-10 pm.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This neighborhood is mixed use in character. The primary use in the neighborhood is the KU Medical Center. The rest of the area is split between residential and commercial uses.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The proposed use is expected to be compatible with the nearby properties.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

Removal of the restrictions for live entertainment is not likely to detrimentally affect nearby property.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

The proposed use conforms to the Rosedale Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use is not anticipated to significantly increase the number of guests at the restaurant, so traffic and parking will remain the same.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The Karaoke will be at the same volume as the music that regularly plays in the restaurant. Noise, vibration, dust, or illumination is not anticipated to create problems for nearby property.

9. *Whether the proposed use will pollute the air, land or water.*

This is not foreseen to be an issue.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This is not foreseen to be an issue.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The proposed use will have little to no effect on the public health, safety, or welfare.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not foreseen to be an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting August 22, 2018. No one was in attendance at the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-71, subject to:

Urban Planning and Land Use Comments:

1. Live entertainment shall be limited to Karaoke on Friday nights between 8 pm and midnight.
2. The business must use an ID card reader when live entertainment is occurring.
3. Approval is for two (2) years

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-71 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Tanner's Bar and Grill Business Plan for Live Entertainment

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-71 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2018-71, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 1:04:00:

SPECIAL USE PERMIT APPLICATION #SP-2018-71 – STEVE SENEAL WITH TANNER’S BAR AND GRILL – SYNOPSIS: Special Use Permit for live entertainment in conjunction with Tanner’s Bar and Grill at 3900 Rainbow Boulevard. **Detailed Outline of Requested Action:** The applicant, Steve Senecal, requests approval of a special use permit for live entertainment at Tanner’s Bar and Grill. The proposed live entertainment is Karaoke on Friday nights from 8 pm-10 pm.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City’s currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Steve Senecal, applicant, 10001 West 116th Terrace, Overland Park, Kansas
- ❖ Erin Stryka, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:07:09: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Planning Commissioner Connelly asked if they are required to have a card ID reader. Director Richardson stated yes.

Motion and Vote starts at 1:08:55:

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application #SP-2018-71:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye

Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Live entertainment shall be limited to Karaoke on Friday nights between 8 pm and midnight.
2. The business must use an ID card reader when live entertainment is occurring.
3. Approval is for two (2) years

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None.
- B) Items that are conditions of approval (stipulations):
- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Tanner's Bar & Grill Business Plan for Live Entertainment

Legal Description of Business:

39 Rainbow II Lot 1

Hours of Operation:

Mon-Sat 11am-2am Sun 11am-Midnight

Hours of Live Entertainment:

Karaoke on Fridays 8pm-midnight

Security:

We will not be adding security because it won't be necessary. We currently have karaoke at multiple other locations around the KC metro area and have never had a need for added security.

Type and Volume of entertainment:

We will have karaoke on Friday nights from 8pm- midnight as a way to add to our atmosphere and guest experience.

Karaoke will be hosted inside the restaurant at the same volume that our house music regularly plays in the restaurant. We do not expect a large increase in our guest count, as this is just a form of regular entertainment and not a special event.

Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: September 27, 2018

Re: **Petition #SP-2018-72**

GENERAL INFORMATION

Applicant:
Andre Hampton

Status of Applicant:
Owner
1728 North 32nd Street
Kansas City, KS 66102

Requested Action:
Approval of Special Use Permit Home
Occupation (Renewal)

Date of Application:
July 18, 2018

Purpose:
To continue to repair guns and firearm sales

Property Location:
1728 North 32nd Street

Commission Districts:

1. Commissioner At-Large: Melissa Bynum
2. District Commissioner: Harold Johnson



Existing Zoning: R-1(B) Single Family District

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Single family homes
South: Single family home
East: Church
West: Single family home

Total Tract Size: .43 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Urban Residential

Major Street Plan: The Major Street Plan classifies North 32nd Street as a local street.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Andre Hampton is seeking to renew his special use permit home occupation from 2016 for the repair of guns and firearm sales at 1728 North 32nd Street.

City Ordinance Requirements: Sec. 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is predominately comprised of single-family homes and is within an established single-family neighborhood.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The neighboring properties are single family residences and a church. The operation of a business in a single-family neighborhood could pose issues related to parking and traffic. Although the amount of traffic will not exceed the capacity of the street network to accommodate it, it may disrupt the quiet, neighborhood character of the street, depending on the number of customers that frequent the business. To date, staff has not received any complaints about the business.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

Staff has not received any complaints or concerns from residents in the neighborhood.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use will not increase vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

A home business is not necessary for the convenience and welfare of the public. If the business continues to be properly operated and supervised, it should not create an adverse effect on nearby property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

This should not be an issue. Using a firearm within city limits is illegal, therefore there will be no noise associated with using a firearm.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water.

10. Whether the use would damage or destroy an irreplaceable natural resource.

This is not an issue.

11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

The denial of the special use permit would prevent the owner from continuing to operate a firearm related business at this location.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

Not required for a special use permit home occupation.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-72, subject to:

Urban Planning and Land Use Comments:

Neighborhood Concerns:

1. Firearms of any kind in a neighborhood can create some legitimate concerns among neighbors. Staff will gauge neighborhood concerns or lack thereof expressed during public hearing to help determine if this renewal is appropriate for this area.

Amount of Inventory on the Premises:

1. How much inventory have you kept, on average, during your two (2) year permit term?

Applicant Response: Four (4) items.

2. What has been the maximum number of firearms, for sale you have had on the premises at one time?

Applicant Response: One (1) firearm.

Sales:

1. What has been the number of sales per day/month/year?

Applicant Response: I sold three (3) firearms in 2017 and four (4) firearms in 2018.

Safety and Security:

1. Have there been any incidents at your residences during these two (2) years?

Applicant Response: None.

Restrictions:

If approved, staff recommends the following stipulations. The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No more than two (2) clients at any one time.
4. Hours of operation being Monday through Friday, 6:00 PM to 9:00 PM and Saturday through Sunday, 10:00 AM to 6:00 PM.
5. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use.
6. Approval will be for two (2) years.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None.

B) Items that are conditions of approval (stipulations):

- 1) None

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-72 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Applicant Response Letter
Aerial Photograph

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-72 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #SP-2018-72, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-72 – ANDRE D. HAMPTON –

SYNOPSIS: Renewal of a Home Occupation Special Use Permit (#SP-2016-58 – expired 8/25/2018) for gun repair/sales at 1728 North 32nd Street. **Detailed Outline of Requested Action:** The applicant, Andre Hampton is seeking to renew his special use permit home occupation from 2016 for the repair of guns and firearm sales at 1728 North 32nd Street.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda."

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present
Motion to APPROVE Passed: 8 to 0	
Subject to:	

Urban Planning and Land Use Comments:

Neighborhood Concerns:

1. Firearms of any kind in a neighborhood can create some legitimate concerns among neighbors. Staff will gauge neighborhood concerns or lack thereof expressed during public hearing to help determine if this renewal is appropriate for this area.

Amount of Inventory on the Premises:

1. How much inventory have you kept, on average, during your two (2) year permit term?

Applicant Response: Four (4) items.

2. What has been the maximum number of firearms, for sale you have had on the premises at one time?

Applicant Response: One (1) firearm.

Sales:

1. What has been the number of sales per day/month/year?

Applicant Response: I sold three (3) firearms in 2017 and four (4) firearms in 2018.

Safety and Security:

1. Have there been any incidents at your residences during these two (2) years?

Applicant Response: None.

Restrictions:

If approved, staff recommends the following stipulations. The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No more than two (2) clients at any one time.
4. Hours of operation being Monday through Friday, 6:00 PM to 9:00 PM and Saturday through Sunday, 10:00 AM to 6:00 PM.
5. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use.
6. Approval will be for two (2) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:**
 - 1) None.**
- B) Items that are conditions of approval (stipulations):**
 - 1) None**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - 1) None**

Amount of Inventory on the Premises:

1. How much inventory have you kept, on average, during your two (2) year permit term? 4 items
2. What has been the maximum number of firearms, for sale you have had on the premises at one time? 1 Firearm

Sales:

1. What has been the number of sales per day/month/year? 3 in 2017 / 4 in 2018

Safety and Security:

1. Have there been any incidents at your residences during these two (2) years? NONE

Restrictions:

If approved, staff recommends the following stipulations. The applicant shall have:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No more than two (2) clients at any one time.
4. Hours of operation being Monday through Friday, 6:00 PM to 9:00 PM and Saturday through Sunday, 10:00 AM to 6:00 PM.
5. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use.
6. Approval will be for two (2) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None.
- B) Items that are conditions of approval (stipulations):
1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend of Petition #SP-2018-72 subject to all comments and suggestions outlined in this staff report.



Figure 1. Photograph of 1728 North 32nd Street (provided by Google Maps - Street View).



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-73

GENERAL INFORMATION

Applicant:
Sean Tulipana

Status of Applicant:
Representative
Slagle, Bernard & Gorman, P.C.
4600 Madison Avenue, Suite 600
Kansas City, MO 64112

Requested Action:
Renewal of a Special Use Permit

Date of Application:
March 28, 2016

Purpose:
To continue to operate a maintenance and servicing
facility for trucks

Property Location:
5252 Speaker Road

Existing Zoning:
M-3 Heavy Industrial District



Existing Surrounding Zoning: North: M-3 Heavy Industrial District
South: M-3 Heavy Industrial District
East: M-3 Heavy Industrial District
West: M-3 Heavy Industrial District

Existing Uses: North: Trucking Company
South: Corporate Campus
East: Open Field
West: Industrial

Total Tract Size: 1.6 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Industrial/Employment.

Major Street Plan: The City-Wide Master Plan classifies Speaker Road as a Class C thoroughfare.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Sean Tulipana, wants to continue to utilize the facility at 5252 Speaker Road for the maintenance and servicing of trucks affiliated with the owner.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is exclusively industrial in nature.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses of nearby properties are set out above. The proposed use of this property would be in keeping with the general nature of uses in the area.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The removal of the restrictions will not detrimentally affect nearby property.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

This should not be an issue. The entire area is built around the idea of heavy truck traffic; the existing infrastructure should be able to continue to accommodate this proposed use.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

There should not be any issues with these concerns. The area consists of other structures and uses that are roughly similar to this one.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Again, while each of these would be increased as a result of this use, the general character of the surrounding uses is similar to an extent where this should not be an issue.

9. *Whether the proposed use will pollute the air, land or water.*

There may be some concerns for small scale non-point source pollution factors, but these would be relatively minor in comparison to the overall scope of the surrounding area. The biggest impact would most likely be to air quality, but that is why this general area is all zoned as such, so that these kinds of concerns are confined to a specific area.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This is not an issue.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public health, safety, and welfare is minimal. If this application is denied, the applicant will not be able to have a servicing facility on the property and will need to find another alternative.

12. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

This should not be an issue.

PREVIOUS ACTIONS

Special Use Permit 2016-73 approved in May 2016.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 23, 2018. According to the applicant no neighbors attended the meeting; everyone in attendance was with the project.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-73, subject to:

Urban Planning and Land Use Comments:

1. Have any of the business practices changed in the past two years?
Applicant Response: No
2. Is this facility still closed to the public?
Applicant Response: Yes
3. It should be noted the applicant's represented indicates that Factors to be Considered 8-10 should not increase due to the current use as it is an existing use. This is a Special Use Permit and it assumes this is a new use as its continuation is not guaranteed.
4. If approved, this petition is valid for ten (10) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP 2018-73 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Site plan
Aerial map
Site photos
Neighborhood meeting minutes

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2016	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Robin H. Richardson, AICP**
 rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-73 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-73**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-73 – SEAN TULIPANA WITH 5252 SPEAKER ROAD, LLC – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-44 – expired 5/26/2018) for maintenance/servicing facility for trucks at 5252 Speaker Road.
Detailed Outline of Requested Action: The applicant, Sean Tulipana, wants to continue to utilize the facility at 5252 Speaker Road for the maintenance and servicing of trucks affiliated with the owner.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda."

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

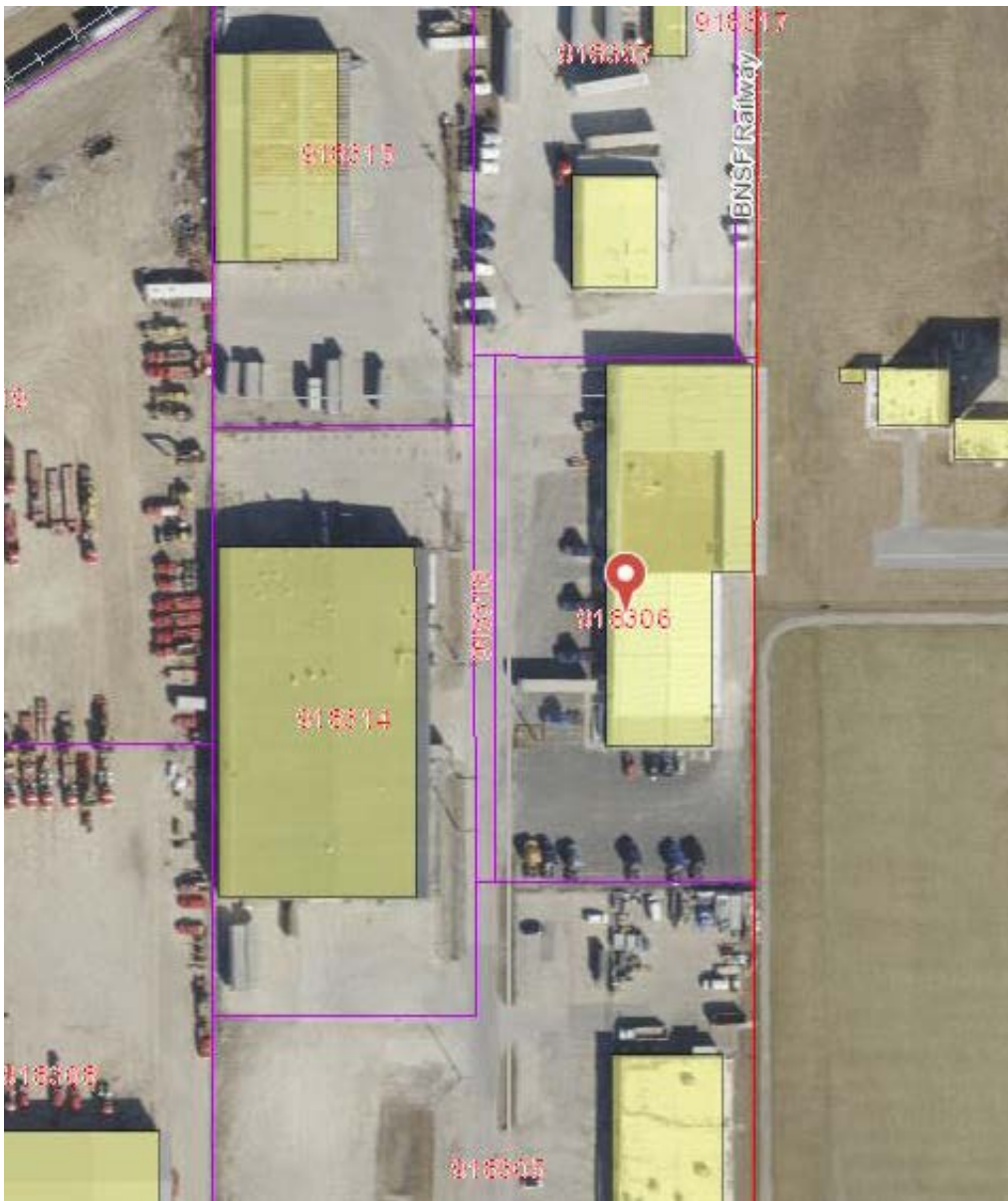
Motion to APPROVE Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Have any of the business practices changed in the past two years?
Applicant Response: No
2. Is this facility still closed to the public?
Applicant Response: Yes
3. It should be noted the applicant's represented indicates that Factors to be Considered 8-10 should not increase due to the current use as it is an existing use. This is a Special Use Permit and it assumes this is a new use as its continuation is not guaranteed.
4. If approved, this petition is valid for ten (10) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None







SLAGLE, BERNARD & GORMAN

A PROFESSIONAL CORPORATION

- Since 1919 -

David G. Watkins

dwatkins@sbg-law.com

Direct Dial (816) 410-4666

August 24, 2018

VIA EMAIL AND FIRST CLASS MAIL

Janet Parker – jparker@wycokck.org

Rob Richardson- rrichardson@wycokck.org

707 N. 7th Street, Room 423

Kansas City, KS 66101

Re: 5252 Speaker Road
Special Use Permit Application No. SP-2018-73

Dear Janet and Rob:

Attached to this letter is a copy of the Minutes of the Neighborhood Meeting for the above referenced application that was held on August 23, 2018. Also included is the Affidavit relating to the Neighborhood Meeting. An attendance sheet was not prepared because no one attended the meeting other than persons directly affiliated with the applicant. Those persons affiliated with the applicant who were in attendance are noted in the minutes.

Sincerely,



David G. Watkins

DGW/adf
Attachments

NEIGHBORHOOD MEETING MINUTES

5252 SPEAKER ROAD

Application No. SP-2018-73

Date and Location: August 23, 2018; 5400 Kansas Avenue, Kansas City, KS 66106

Meeting called to order at 4:00 p.m.

Names of people in attendance: William Grojean, Eugene Mosher and David Watkins.

As required by applicable Unified Government Ordinance, a Neighborhood Meeting was held on August 23, 2018 at 4:00 p.m. for the purpose of presenting details of the Special Use Permit Renewal Application that has been filed with respect to 5252 Speaker Road.

All persons in attendance at the meeting are affiliated with 5252 Speaker Road, LLC. Specifically, William Grojean is one of the owners of 5252 Speaker Road, LLC. Eugene Mosher is the director of maintenance for the truck maintenance operations that are conducted at 5252 Speaker Road. David Watkins is the applicant and the attorney for 5252 Speaker Road, LLC.

Because no neighbors attended the meeting, a presentation was not necessary, as all people affiliated with 5252 Speaker Road, LLC are familiar with the use of the property. David Watkins did give the others in attendance an overview of the remainder of the Special Use Permit process.

The meeting was adjourned at 4:30 p.m.

The minutes were taken by David Watkins.

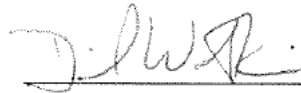
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF MISSOURI)
) SS:
COUNTY OF JACKSON)

Comes now David G. Watkins, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2018-73
2. That I conducted a neighborhood meeting on August 23, 2018 at 4:00 p.m.
at 5400 Kansas Avenue, Kansas City, KS
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

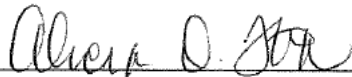

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of August, 2018.

My commission expires 6th of January, 2019.



ALICIA D. FULTON
My Commission Expires
January 6, 2019
Jackson County
Commission #14394996


Notary Public



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-74

GENERAL INFORMATION

Applicant:
Terry D. Mason

Status of Applicant:
Applicant
Positive Role Models into
Demanding Excellence
1634 South 29th Street
Kansas City, KS 66106

Requested Action:
Approval of Special Use Permit
(Renewal)

Date of Application:
July 18, 2018

Purpose:
To operate a group home for youth
12 to 17 years old

Property Location:
1634 South 29th Street



Commission Districts:

1. Commissioner At-Large: Tom Burroughs
2. District Commissioner: Ann Brandau Murguia

Existing Zoning: R-1 Single Family District

Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Single family homes
South: Single family homes
East: Single family homes
West: Ruby Park

Total Tract Size: .20 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Low Density Residential.

Major Street Plan: The Major Street Plan classifies 29th Street as a local street.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Terry Mason with Positive Role Models into Demanding Excellence wants to continue to operate a group home for youths between the ages of 12 to 17 years old at 1634 South 29th Street.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised entirely of single-family homes. To the west, the property abuts Ruby Park.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The zoning and their uses are set out above. The proposed may not be compatible with the single-family homes in the neighborhood.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The youth group home may detrimentally affect nearby property. Property owners have objected to this use in the past, citing concerns for their property values and overall safety. However, staff is unaware of any issues resulting from this particular group home over the past four years.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

Depending on the number of staff and clients at the residence vehicular traffic may increase but not to the point it exceeds the capacity of the street. This does not appear to have been an issue to date.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience and welfare of the public. The proposed use may injure the marketability of adjoining properties.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

This should not be an issue.

9. *Whether the proposed use will pollute the air, land or water.*

This should not be an issue.

10. Whether the use would damage or destroy an irreplaceable natural resource.

This should not be an issue.

11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

There is no relative gain to the public health, safety and welfare. If this special use permit renewal is denied, the applicant will have to find an alternate location to have this group home.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This should not be an issue.

PREVIOUS ACTIONS

The Unified Government Board of Commissioners approved #SP-2014-34 on June 26, 2014 for two (2) years and #SP-2016-62 on August 25, 2016 for two (2) years.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 28, 2018. According to the applicant, no one appeared at the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-74, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two (2) years.
2. What, if any changes have occurred since your renewal in 2016?

Applicant Response: The only change is that we have added “Emergency Shelter” to the services. We were already able to take children who were PPC (Police Protective Custody). This allows us the flexibility of admitting an emergency placement and both parties being able to see if it is a good fit. It also allows the child to start therapy immediately because of the in-

house therapist.

3. Are the youths from Wyandotte County or are they from the Kansas City metropolitan area?

Applicant Response: Wyandotte County.

4. How are the youths chosen for this particular group home?

Applicant Response: The population we serve are: SED (Severely Emotionally Disturbed), abused, abandoned, ward of the state, CINC children (Children in Need of Care), non-adjudicated kids experiencing trauma from dysfunctional parenting.

5. How many vehicles will be making daily trips to this location?

Applicant Response: There will be 2-3 trips per day. The staff on duty, Director and therapist.

6. How many staff members will reside at the home?

Applicant Response: No staff members will reside at the home.

7. What are the proposed hours of operation.

Applicant Response: The facility is open 24 hours a day, 365 days a year.

8. What is the typical, day-to-day operation of the group home?

Applicant Response: A typical day will include: The children being woken up for breakfast, medication, given encouragement for the day before they leave for school. Anyone who has appointments will be taken to them by staff. Once home from school they will have a snack, do homework and chores. Some will have individual therapy; the others will do what we all plan for the evening. They will then have dinner, get showers, take medication and prepare for bed.

9. Are there plans for visitors?

Applicant Response: The caseworker is the primary visitor. However, there may be an hour visit with a parent to be involved in a therapy session from time to time.

10. No signs shall be posted on the property.

Applicant Response: There will be no signs posted on the property.

11. Have there been any issues with the neighbors in the past two years since the group home has been renewed?

Applicant Response: There have been no issues with neighbors.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-74 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Aerial Photograph
Site Plan
Floor Plan
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-74** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-74**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-74 – TERRY D. MASON WITH POSITIVE ROLE MODELS INTO DEMANDING EXCELLENCE – SYNOPSIS:

Renewal of a Special Use Permit (#SP-2016-62 – expired 8/25/2018) for a group home/emergency shelter for youth 12 to 17 at 1634 South 29th Street. **Detailed Outline of Requested Action:** The applicant, Terry Mason with Positive Role Models into Demanding Excellence wants to continue to operate a group home for youths between the ages of 12 to 17 years old at 1634 South 29th Street.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? (No one responded in the affirmative.)

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The notice in The Echo for the special use permits; and
7. The notices to property owners.

The Commission will vote to approve in one vote these items unless someone comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Ed Stewart, Piper Lake Addition, requested that #PR-2018-26 be removed from the Consent Agenda. Planning Commissioner Connelly stated that he would like to set aside #SP-2018-78 for Jeffrey Zimmerman.

On motion by Mr. Carson, seconded by Ms. Jones, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to APPROVE Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two (2) years.
2. What, if any changes have occurred since your renewal in 2016?

Applicant Response: The only change is that we have added “Emergency Shelter” to the services. We were already able to take children who were PPC (Police Protective Custody). This allows us the flexibility of admitting an emergency placement and both parties being able to see if it is a good fit. It also allows the child to start therapy immediately because of the in-house therapist.

3. Are the youths from Wyandotte County or are they from the Kansas City metropolitan area?

Applicant Response: *Wyandotte County.*

4. How are the youths chosen for this particular group home?

Applicant Response: The population we serve are: SED (Severely Emotionally Disturbed), abused, abandoned, ward of the state, CINC children (Children in Need of Care), non-adjudicated kids experiencing trauma from dysfunctional parenting.

5. How many vehicles will be making daily trips to this location?

Applicant Response: There will be 2-3 trips per day. The staff on duty, Director and therapist.

6. How many staff remembers will reside at the home?

Applicant Response: No staff remembers will reside at the home.

7. What are the proposed hours of operation.

Applicant Response: The facility is open 24 hours a day, 365 days a year.

8. What is the typical, day-to-day operation of the group home?

Applicant Response: A typical day will include: The children being woke up for breakfast, medication, given encouragement for the day before they leave for school. Anyone who has appointments will be taken to them by staff. Once home from school they will have a snack, do homework and chores. Some will have individual therapy; the others will do what we all plan for the evening. They will then have dinner, get showers, take medication and prepare for bed.

9. Are there plans for visitors?

Applicant Response: The caseworker is the primary visitor. However, there may be an hour visit with a parent to be involved in a therapy session from time to time.

10. No signs shall be posted on the property.

Applicant Response: There will be no signs posted on the property.

11. Have there been any issues with the neighbors in the past two years since the group home has been renewed?

Applicant Response: There have been no issues with neighbors.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:

1) None

- B) Items that are conditions of approval (stipulations):

1) None

- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

1. The only change is that we have added “Emergency Shelter” to the services. We were already able to take children who were PPC (Police Protective Custody). This allows us the flexibility of admitting an emergency placement and both parties being able to see if it’s good fit. It also allows the child to start therapy immediately because of the in-house therapist.
2. Wyandotte County.
3. The population we serve are: SED (Severely Emotionally Disturbed), abused, abandoned, ward of the state, CINC children (Children in Need of Care), non- adjudicated kids experiencing trauma from dysfunctional parenting. are:
4. There will be 2-3. The staff on duty, Director and therapist.
5. No staff members will reside at the home.
6. The facility is open 24 hours a day 365 days a year.
7. A typical day would include: The children being woke up for breakfast, meds, given encouragement for the day before they leave to go to school. Anyone who has appointments will be taken to them by staff. Once home from school they will have snack, do home work and chores. Some will have individual therapy; the others will do what we all plan for the evening. They will then have dinner, get showers, take meds and prepare for bed.
8. The caseworker is the primary visitor. However, there may be an hour visit w/a parent to be involved in a therapy session from time to time.
9. There will be no signs posted on the property.

10. There have been no issues w/neighbors.

8-29-18

#SP-2018-74

Subject: Neighborhood Meeting

The meeting started at 5:30. We stayed 30 min as advised. No one attended. If you have any further questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry W.", enclosed within a large, loopy oval flourish.

Terry Mason

PRIDE CEO

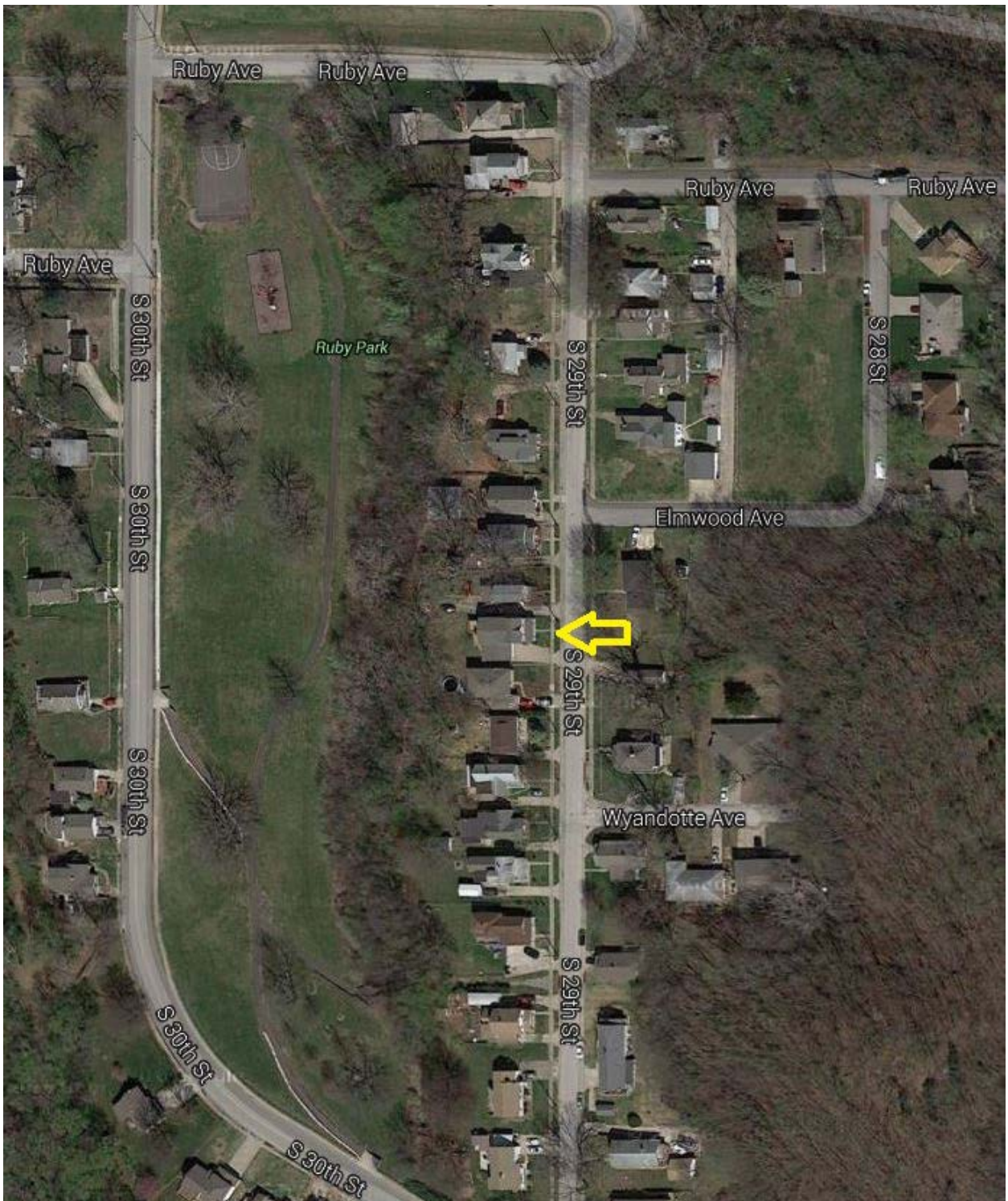


Figure 1. Aerial photograph of 1634 South 29th Street, as indicated by the yellow arrow on the building (provided by Google Maps).

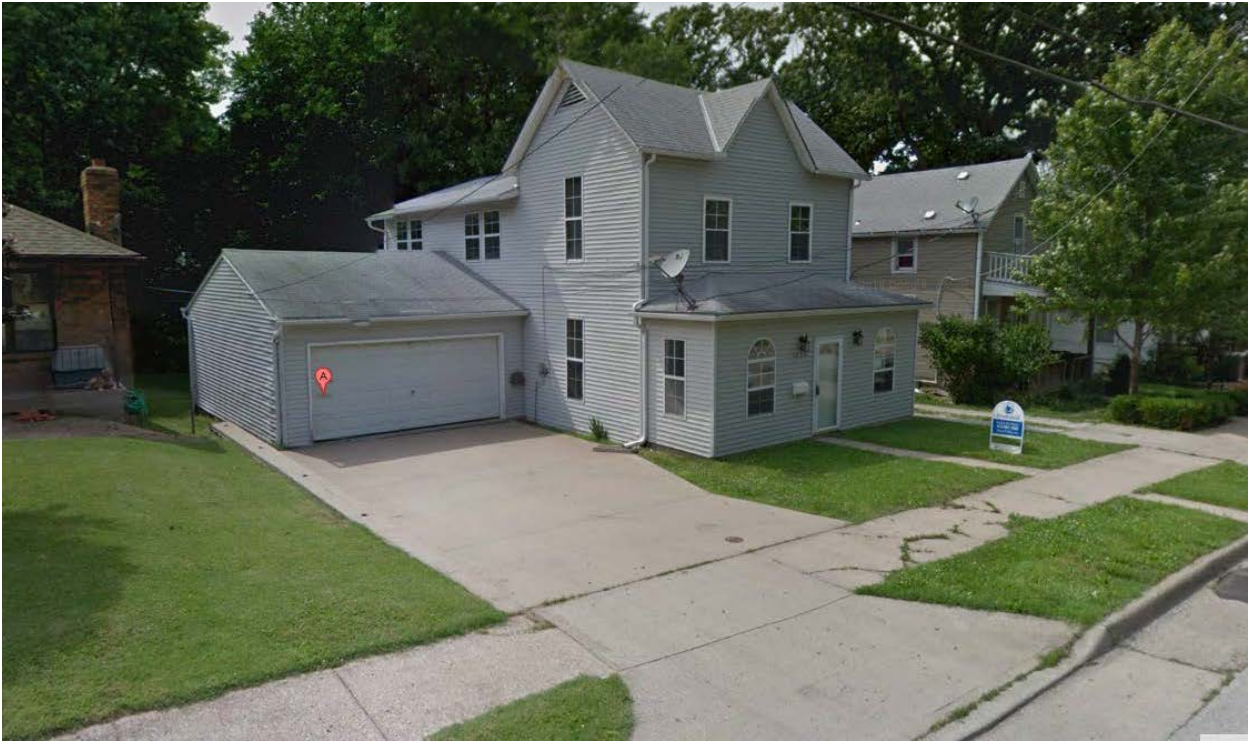


Figure 2. Photograph of 1634 South 29th Street (provided by Google Maps - Street View).

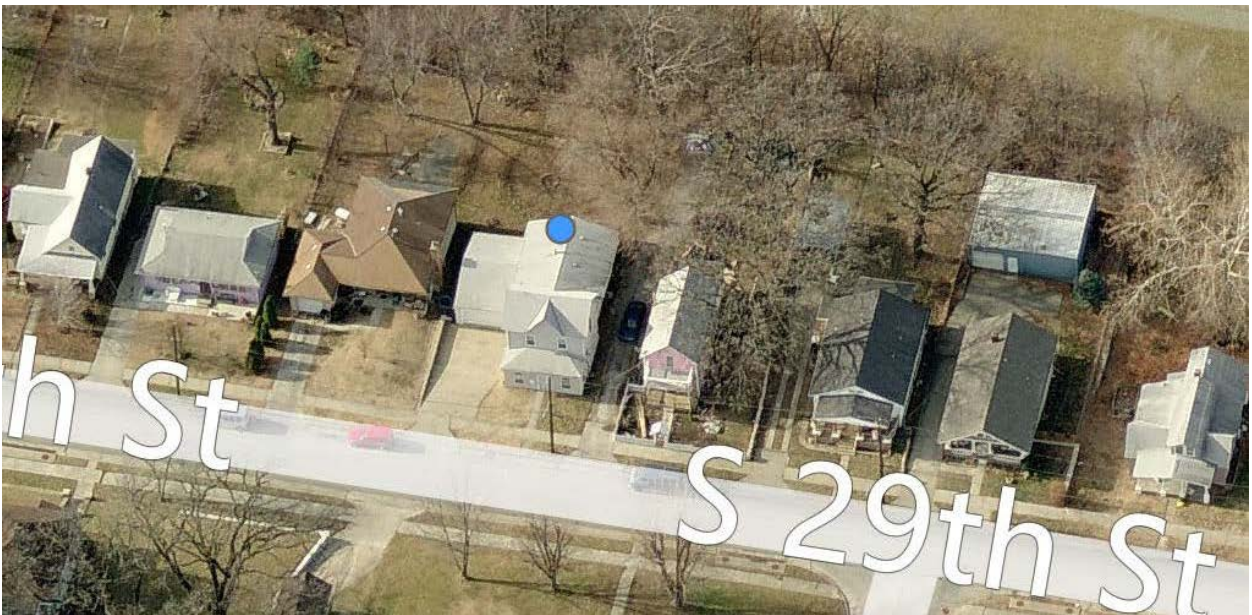


Figure 3. Aerial photograph of 1634 South 29th Street (provided by Bing Maps).



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-75

GENERAL INFORMATION

Applicant:
Faris Farassati

Status of Applicant:
Representative
KC Outlook Rosedale
12704 Wooden Street
Overland Park, KS 66209

Requested Action:
Approval of a special use permit

Date of Application:
July 27, 2018

Purpose:
To open a commercial daycare

Property Location:
2605 West 39th Avenue

Existing Zoning:
R-1(B) Single Family District



Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District and RP-5
Planned Apartment District
East: R-1(B) Single Family District
West: R-1(b) Single Family District

Existing Uses: **North:** Fisher Park
South: Duplexes
East: Parking Lot
West: Fisher Park

Total Tract Size: 0.37 acre

Master Plan Designation: The Rosedale Master Plan designates this property as General Urban

Major Street Plan: The City-Wide Master Plan designates West Lake Avenue, West 39th Avenue, and Springfield Streets as local streets

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 21, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting. Rosedale Development Association appeared in support of this application.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Faris Farassati, is applying to use the building at 2605 West 39th Avenue as a commercial daycare. The building was previously used as a day care from 1989 until 2004. The proposal includes a renovation and addition to the building

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

This property is in the Rosedale area. It is in a mixed-use area with apartments, parks, commercial uses, and single-family houses with the neighborhood.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The proposed use is expected to be compatible with the nearby properties.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

Removal of the restrictions will not detrimentally affect nearby property.

4. *The length of time the property has remained vacant as zoned.*

The property has remained vacant since 2004 when the previous day care vacated the building.

5. *The degree of conformance of the proposed use to the Master Plan.*

The proposed use conforms to the Rosedale Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use is not expected to increase vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use, a children's day care, is necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

This is not foreseen to be an issue.

9. *Whether the proposed use will pollute the air, land or water.*

This is not foreseen to be an issue.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This is not foreseen to be an issue.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The proposed use would be a relative gain to the public welfare and would not pose hardships on individual landowners.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not foreseen to be an issue.

PREVIOUS ACTIONS

SP-2012-22 – A Special use permit to operate an adult and child day care was approved in 2012

SP-2000-38 – A special use permit for office space for the KU endowment Association was approved in 2000.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 27, 2018; meeting information is attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-75, subject to:

Urban Planning and Land Use Comments:

1. **Approximately how many employees will be at the day care at any given time?**

Applicant Response: There will be up to 10 employees

2. **Approximately how many children will the day care serve?**

Applicant Response: There will be up to 85 kids, (partly determined by the state based on size.)

3. **What are the proposed hours of the day care?**

Applicant Response: Hours will be 6:30 am to 6 pm.

4. Are there any signs proposed to go along with the day care?

Applicant Response: We will propose 3 signs, one on the east, one on the west, and a monument sign on the corner.

5. Sidewalks are required to be installed. Please install a new 5-foot-wide sidewalk on the north/west side of the property along 39th Ave./Lake Avenue to the western edge of the property. Replace broken sidewalks on the east side of the property and install an ADA ramp at the corner of Springfield and 39th Avenue.

Applicant Response: We agree to adding sidewalks and ADA ramps at the corner.

6. Landscaping is required. Please install street trees every 30 feet along Springfield and 39th/Lake Avenue.

Applicant Response: We agree to street trees at 30' O.C. is there a minimum caliper or type required?

Staff Response: Trees are required to have a minimum caliper of two inches. Please see attached list of permitted street trees.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

1) None.

B) Items that are conditions of approval (stipulations):

1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-75 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Development Plan
Permitted Street Trees
Neighborhood Meeting Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Zach Flanders**
 zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-75** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-75**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 1:09:40:

SPECIAL USE PERMIT APPLICATION #SP-2018-75 – FARIS FARASSATI WITH KC OUTLOOK ROSEDALE, LLC. – SYNOPSIS: Special Use Permit for renovations and expansion for KC Outlook Rosedale Day Care at 2605 West 39th Avenue. **Detailed Outline of Requested Action:** The applicant, Faris Farassati, is applying to use the building at 2605 West 39th Avenue as a commercial daycare. The building was previously used as a day care from 1989 until 2004. The proposal includes a renovation and addition to the building

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Faris Farassati, applicant, KC Outlook Rosedale, 12704 Wooden Street, Overland Park, Kansas 66209
- ❖ Erin Stryka, Rosedale Development Association, 1403 Southwest Boulevard, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:14:18: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 1:14:27:

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application #SP-2018-75:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye

Serda Aye
Huey Chairman
Pauley Not Present
Motion to RECOMMEND APPROVAL Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

1. Approximately how many employees will be at the day care at any given time?

Applicant Response: There will be up to 10 employees

2. Approximately how many children will the day care serve?

Applicant Response: There will be up to 85 kids, (partly determined by the state based on size.)

3. What are the proposed hours of the day care?

Applicant Response: Hours will be 6:30 am to 6 pm.

4. Are there any signs proposed to go along with the day care?

Applicant Response: We will propose 3 signs, one on the east, one on the west, and a monument sign on the corner.

5. Sidewalks are required to be installed. Please install a new 5-foot-wide sidewalk on the north/west side of the property along 39th Ave./Lake Avenue to the western edge of the property. Replace broken sidewalks on the east side of the property and install an ADA ramp at the corner of Springfield and 39th Avenue.

Applicant Response: We agree to adding sidewalks and ADA ramps at the corner.

6. Landscaping is required. Please install street trees every 30 feet along Springfield and 39th/Lake Avenue.

Applicant Response: We agree to street trees at 30' O.C. is there a minimum caliper or type required?

Staff Response: Trees are required to have a minimum caliper of two inches. Please see attached list of permitted street trees.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None.

B) Items that are conditions of approval (stipulations):

- 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 1) None

Kansas City, Kansas Permitted Street Tree Listing

(June 2017)

A. Small Trees (usually under 25 feet at maturity)			
1.	<i>Acer tataricum</i> subsp. <i>ginnala</i>	Amur maple	
2.	<i>Acer griseum</i>	Paperbark maple	
3.	<i>Acer tataricum</i>	Tatarian maple	'Hotwings'
4.	<i>Acer truncatum</i>	Shantung maple	
5.	<i>Acer truncatum</i> x <i>plantanoides</i>	Norwegian sunset maple	'Warrenred' 'Keithsform'
6.	<i>Amelanchier</i> x <i>grandiflora</i>	Serviceberry*	better cultivar 'Autumn Brilliance'
7.	<i>Cercis species</i> (spp.)	Eastern and Oklahoma redbud	
8.	<i>Malus</i> spp.	Crabapple	'Royal raindrop', 'Adirondack', 'Velvet Pillar'
9.	<i>Syringa pekinensis</i>	China Snow tree lilac	'Morton'
10.	<i>Syringa reticulata</i>	Japanese tree lilac	'Ivory silk'
11.	<i>Prunus virginiana</i>	Common chokecherry*	better cultivars 'Canada Red Improved' and 'Shubert'
B. Medium Trees (usually 25-40 feet at maturity)			
1.	<i>Carpinus betulus</i>	European hornbeam	
2.	<i>Cornus species</i> (spp.)	Dogwood	Typical understory planting. Species selection important for sun tolerance.
3.	<i>Koeleruteria paniculata</i>	Goldenrain tree	
4.	<i>Quercus muehlenbergii</i>	Chinkapin oak	
5.	<i>Acer buergerianum</i>	Trident maple	
6.	<i>Acer campestre</i> 'Evelyn'	Hedge maple	
7.	<i>Acer truncatum</i>	Shantung maple	
8.	<i>Cladrastis kentukea</i>	American yellowwood	
9.	<i>Maclura pomifera</i>	Osage-orange	Male cultivars only 'Whiteshield', 'Wichita'
10.	<i>Ulmus propinqua</i> 'JFS-Beiberich'	Emerald Sunshine elm	New introduction from OK proven in KS
C. Large Trees (usually 40 feet or larger at maturity)			
1.	<i>Acer miyabei</i>	Miyabei maple	'State Street'
2.	<i>Acer plantanoides</i>	Norway maple	
3.	<i>Acer saccharum</i>	Sugar maple	Suggested cultivar 'Hiawatha 1'
4.	<i>Acer saccharum</i> var. <i>caddo</i>	Caddo sugar maple	Heat and drought tolerant. Cultivars 'John Pair' and 'Autumn Splendor'
5.	<i>Betula nigra</i>	River birch	Single stem only
6.	<i>Corylus colurna</i>	Turkish filbert	Needs large space
7.	<i>Ginkgo biloba</i>	Ginkgo	Male cultivars only
8.	<i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust	'Imperial' 'Shademaster' 'Skyline'

		Permitted Large Trees		
	9.	<i>Gymnocladus dioica</i>	Kentucky coffeetree	Male cultivars available. Durable native.
	10.	<i>Liquidambar styraciflua</i>	Sweetgum	Male cultivars only
	11.	<i>Metasequoia glyptostroboides</i>	Dawn redwood	Needs large space
	12.	<i>Nyssa sylvatica</i>	Black gum	
	13.	<i>Quercus acutissima</i>	Sawtooth oak	
	14.	<i>Quercus alba</i>	White oak	
	15.	<i>Quercus bicolor</i>	Swamp white oak	Soil pH should determined
	16.	<i>Quercus coccinea</i>	Scarlet oak	
	17.	<i>Quercus imbricaria</i>	Shingle oak	
	18.	<i>Quercus lyrata</i>	Overcup oak	
	19.	<i>Quercus macrocarpa</i>	Bur oak	
	20.	<i>Quercus phellos</i>	Willow oak	
	21.	<i>Quercus robur</i>	English oak	Choose mildew resistant cultivars
	22.	<i>Quercus rubra</i>	Northern red oak	Soil pH should determined
	23.	<i>Quercus shumardii</i>	Shumard oak	
	24.	<i>Taxodium distichum</i>	Baldcypress	
	25.	<i>Tilia cordata</i>	Littleleaf linden	
	26.	<i>Tilia tomentosa</i>	Silver linden	Cultivars 'Sterling Silver' 'Green Mountain'
	27.	<i>Tilia Americana</i>	American linden	
	28.	<i>Ulmus americana</i>	American elm	Cultivars resistant to Dutch elm disease; 'New Harmony', 'Princeton', 'Lewis and Clark', 'Jefferson'
	29.	<i>Ulmus parvifolia</i>	Lacebark elm	'Elmer II'
	30.	<i>Ulmus wilsoniana</i>	Prospector elm	
	31.	<i>Zelkova serrata</i>	Zelkova, columnar or Japanese	'Musashino' 'Village green' 'Green vase'

* Fruits produced - site selection important

Kansas City, Kansas Prohibited Street Tree Listing

(June 2017)

Prohibited Street Trees			
1.	<i>Abies species (spp.)</i>	Fir	
2.	<i>Acer saccharinum</i>	Silver maple	
3.	<i>Albizia julibrissin</i>	Mimosa	
4.	<i>Celtis occidentalis</i>	Northern hackberry	
5.	<i>Celtis laevigata</i>	Sugar hackberry	
6.	<i>Diospyros virginiana</i>	Persimmon	
7.	<i>Elaeagnus angustifolia</i>	Russian olive	
8.	<i>Fraxinus Americana</i>	White ash	
9.	<i>Fraxinus pennsylvainica</i>	Green ash	
10.	<i>Maclura pomifera</i>	Osage orange – fruited/thorned varieties	
11.	<i>Morus spp.</i>	Mulberry	
12.	<i>Picea spp.</i>	Spruce	
13.	<i>Pinus spp.</i>	Pine	
14.	<i>Platanus acerifolia</i>	London plane tree	
15.	<i>Platanus occidentalis</i>	Sycamore	
16.	<i>Populus spp.</i>	Cottonwood	
17.	<i>Pyrus calleryana</i>	Bradford pear	
18.	<i>Ulmus pumila</i>	Siberian elm	
19.	<i>Ailanthus altimissima</i>	Tree of Heaven	
20.	<i>Acer negundo</i>	Boxelder	
21.	<i>Salix spp.</i>	Willow	
22.	Edible fruit trees		

Meeting Minutes The "Outlook Academy" LLC



Call to order

A meeting of Outlook Companies (the Outlook Academy LLC) was held at KCK main library (625 Minnesota Ave, KCK, 66101) on 08/27/2018 at 5:00 PM. Attendees included:

- 1-Dr. Faris Farassati (the applicant)
- 2-Dr. Tuba Esfandyari (the owner of the property)
- 3-Mr. Dave Rau (representing KUMC)
- 4-Ms. Erin Stryka (Rosedale Development Association)
- 5-Mr. Darryl Hawkins (Architect for the project)

Introduction

Following documents were distributed among the audience by Dr. Farassati: Agenda, business card, summary business plan, pictures of the property and proposed improvement, architectural plans, City Planning Commission Report and sign-up sheet.

Dr. Farassati provided a brief introduction as the applicant about "The Outlook Academy LLC" day care center focusing on current structure, current condition and the overall plans for the child care center. Pictures were provided about the building at 2605 west 39th street. Additionally, he explained about needs of the neighborhood in terms of high quality day care services, the capacity of the proposed child care center at 85 kids and the number of staff at 8-10 employees.

Discussion

Mr. Rau mentioned that this center is in harmony with the child care needs of the staff at KUMC Ms Stryka mentioned that the needs of neighborhood is also supported by this project. Additionally, Ms Stryka mentioned that the upcoming improvements to the Fisher Park should have a positive impact on the surrounding environment. Dr. Farassati explained that the applicant intends to provide a very productive learning experience with an expanded curriculum (Science, Art, Math, Assisted learning, Physical activities, International cultures etc) offered by expert staff in a very safe and dynamic environment. Mr. Rau mentioned about the geographical area served by this center to be Rosedale, West of Southwestern Blvd. and Mission road. He also mentioned that KUMC staff who do not live in the neighborhood will also be served by this project.

Dr. Farassati reviewed the report of the City Planning Commission which reflects no negative impact in terms of traffic, air, pollution and harmony with surroundings. Dr. Esfandyari mentioned her needs for quality child care years ago when she started working at KUMC and lack of such facility in the surroundings.

Ms Stryka asked a question about sidewalks as requested by the City and Mr. Hawkins (architect of the project) explained that the applicant has accepted to build side-walks for the ease of access and walkability.

Dr. Farassati explained about the need for information about the average level of income from business point of view and Ms Stryka mentioned that she believes that to be around \$35000/year for an average family in Rosedale.

Dr. Farassati explained that the food at the center will be of high quality organic or with no pesticide/antibiotic/herbicide treatment. He also explained that there will be no commercial kitchen at the center.

Ms Stryka asked about drop-off and pick-up times. Mr. Rau mentioned that for KUMC staff that usually spans from 3:30-5:30 for pick-up. Dr. Farassati mentioned that the center accepts arrivals starting at 6:00 AM. Mr. Hawkins explained that they are planning to have a 5-car stack-up line to allow a fast and safe transfer of children in and out. Dr. Esfandiyari mentioned that it is intended to provide valet service for the kid's safe and efficient transfer to the car without the need for parent to park or exit the vehicle. This is supplemented by a text messaging system to inform the center of arrival time of the parent in advance.

Ms Stryka asked a question about the potential in-service date for the center and Dr. Farassati answered that to be 6-8 months away. Ms Stryka mentioned that special-use permits are usually issued for 2 years. Mr. Hawkins mentioned the following steps will be needed for obtaining demolish and construction permits and prevention of land erosion.

The meeting concluded on a very positive note about the value of this child care center.

Adjournment

Dr. Farassati announced the adjournment of the meeting at 5:40 PM.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now FARIS FARASSATI, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # _____.
2. That I conducted a neighborhood meeting on 08/27/2018.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

F Farassati
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28 day of August, 2018.

My commission expires 21 of March, 2020.



Simona Anschutz
Notary Public

Sign-Up Sheet

For:

Date:

8/27/18

[illegible]



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-77

GENERAL INFORMATION

Applicant:
Jennifer L Rios

Status of Applicant:
Owner
6601 Leavenworth Road
Kansas City, Kansas

Requested Action:
A Special Use Permit for temporary use of land to operate a day care in a home that is not a primary residence.

Date of Application:
July 27, 2018

Purpose:
To operate a day care in a residential property in which the applicant does not reside.

Property Location:
6601 Leavenworth Road

Existing Zoning: R-1 Single Family District



Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Single family residences
South: Single family residences
East: Single family residences
West: Single family residences

Total Tract Size: 0.5 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Low Density Residential

Major Street Plan: Leavenworth Road is designated as a Class B thoroughfare.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owners – August 15, 2018 and September 21, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Outline of Requested Action: Ms. Rios is seeking a Special Use Permit to operate a day care in a home that is not her primary residence.

City Ordinance Requirements: 27-1251 through 27-1270

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is residential in nature.

2. *The zoning and uses of properties nearby and the proposed uses expected compatibility with them.*

The zoning and uses of nearby properties are set out above. Though we often allow day cares to operate in residential neighborhoods, this case is unique in that Ms. Smith is not planning to reside in the house and it will only be used in a commercial fashion.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The property was developed as a residence and is in an exclusively residential neighborhood. By allowing a solely commercial use in the neighborhood, there are some changes to the neighborhood to be expected.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

This sort of operation is not addressed by the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

There will likely be an increase in traffic in both the mornings and the evening when parents are dropping off and picking up their children each day. Though it is unlikely to exceed the capacity of the street, it is not unreasonable to assume there would be times when there would be traffic backed up or a lack of parking spaces near the property due to the increased traffic.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

This use is not a necessary convenience to the public. Having a day care in a neighborhood can be helpful to some nearby residents but is not a particular asset to the area.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise could become an issue if not properly managed. Children playing outside can be quite noisy where there are many of them together.

9. *Whether the proposed use will pollute the air, land or water.*

This will not be an issue

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This will not be an issue.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The Planning Commission will need to make this assessment.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not an issue.

PREVIOUS ACTIONS

No previous action has been taken on this property.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting by August 25, 2018. According to the applicant no one was in attendance.

KEY ISSUES

1. Noise
2. Traffic and parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-77, subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?
Applicant Response: 10
2. How many employees do you intend to have working at any one time?
Applicant Response: 2
3. If approved, the applicant must obtain a business license tax receipt.
4. Please explain how you plan to keep noise down as to not bother neighbors nearby.
Applicant Response: The applicant will build a privacy fence.
5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?
Applicant Response: The drive can accommodate up to 11 cars.
6. Any parking area needs to be striped and meet code requirements for dimensions.
Applicant Response: The applicant agrees.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive

entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.

Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.

B) Items that are conditions of approval (stipulations):

1) None

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-77 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes

Zoning map

Vicinity map

Site pictures provided by applicant

Neighborhood meeting information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT:

Rob Richardson, AICP
rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-77 as meeting all the requirements of the City code and being in the interest of the public, health safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **#SP-2018-77** as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 1:15:07:

SPECIAL USE PERMIT APPLICATION #SP-2018-77 – JENNIFER L. RIOS –

SYNOPSIS: Special Use Permit for a day care for children ages 2 to 12 at 6601 Leavenworth Road. Detailed Outline of Requested Action: Ms. Rios is seeking a Special Use Permit to operate a day care in a home that is not her primary residence.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Jennifer L. Rios, applicant, 6601 Leavenworth Road, Kansas City, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:26:57: Planning Director Richardson stated that he would advise the applicant that if she exceeds the 10 children discussed in the staff report, she would need to revise her application at or before renewal. With that note, the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 1:27:33

On motion by Dr. Neal, seconded by Ms. Jones, the Planning Commission voted as
#SP-2018-77 **September 10, 2018**

follows to recommend **APPROVAL** of Special Use Permit Application #SP-2018-77:

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How many children do you expect to have in your care?
Applicant Response: 10
2. How many employees do you intend to have working at any one time?
Applicant Response: 2
3. If approved, the applicant must obtain a business license tax receipt.
4. Please explain how you plan to keep noise down as to not bother neighbors nearby.
Applicant Response: The applicant will build a privacy fence.
5. How do you plan to ensure parking and traffic is not an issue when parents are dropping off and picking up their children?
Applicant Response: The drive can accommodate up to 11 cars.
6. Any parking area needs to be striped and meet code requirements for dimensions.
Applicant Response: The applicant agrees.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) The Leavenworth Road Improvement project early designs for this section of the road indicates the closure of one of the drive entrances i.e. close to the intersection with N.65th Street. along with the construction of a new drive entrance to the property on N.65th Street. The applicant shall adjust access to the site in accordance with the Leavenworth Road improvements.
Applicant Response: I will have maps for the parents indicating they must come from the 72nd street towards the daycare and my driveway curves like a cul-de-sac and has enough driveway to where they can enter my drive way and then turn left to exit facing head out to Leavenworth Road not backing out into the street. So this ensures a safe exit to Leavenworth road. This work on Leavenworth road will not be an issue at all.
- B) Items that are conditions of approval (stipulations):
- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None





Thursday, July 26, 2018 5:57 AM



One note

MY SECOND HOME DAYCARE

We will provide care for all children ages 2 to 12 years of age.

The Owner/Director is Jennifer L Rios. I have a Masters Degree in Education in Curriculum and Instruction with a major and minor in English/Spanish as a Second Language. I studied infant and child care development along with caring for infants and children with special needs. I was chosen by USA-TODAY as one of the top 20 students in the nation and have a scholarship named after me at KCKCC, it is the Jennifer L Rios education scholarship. I have taught in public

schools as a teacher and Para and I have also taught adults at the college level. I have two beautiful daughters ages nine and seven. My emphasis has always been challenging myself to grow both personally and professionally to be able to help others become the best that they can be and to reach and surpass their goals in life. I believe that the magic all starts at an early age when exposure to different experiences, age appropriate challenges and constant strategic teaching and learning through play and communication instill a life long love for education.

Tuition will vary depending on the child's age and the program and

hours they are enrolled in.

Children will be provided a menu that is planned with nutritious and varied foods.

Breakfast from 7:30-8:30

Snack from 10:00-10:30

Lunch from 12:30-1:30

Snack from 3:30-4:30

The facility will have an alarm system.

Each day each child will be given an invisible stamp that will match the parents and will be verified upon pick up of child. Or if preferred parents will have a different daily code that will be given out for the protection of all children and peace of mind of the

parents.

The play area will be enclosed by a privacy fence.

The daycare office and its restroom will be separate from the daycare classrooms by a locked door. Our facility will be secured so that only authorized staff and families can enter our classrooms supervised by a director or Lead Teacher. Only pre-approved people with photo identification may pick up your child.

Our facility will have 3 AED devices on site for the immediate access in case of any emergency. All of our teachers are trained in

CPR and first aid.

Our caregivers ^{are} ~~is~~ trained in child care development, early childhood education and Children with Learning Disabilities and related fields.

We conduct criminal background checks to ensure trustworthy staff and passionate teachers who will give your child loving attention, care and education.

We will have emergency training in the event of earthquakes, fires, and lockdown situations. We have an evacuation plan and we will regularly test and train for preparedness. Our Center will include smoke detectors and fire extinguishers. *We will cap*

electrical outlets and use safety gates to ensure safe indoor and outdoor play at all times.

We will have strict policies for administering medication to children to ensure they are protected.

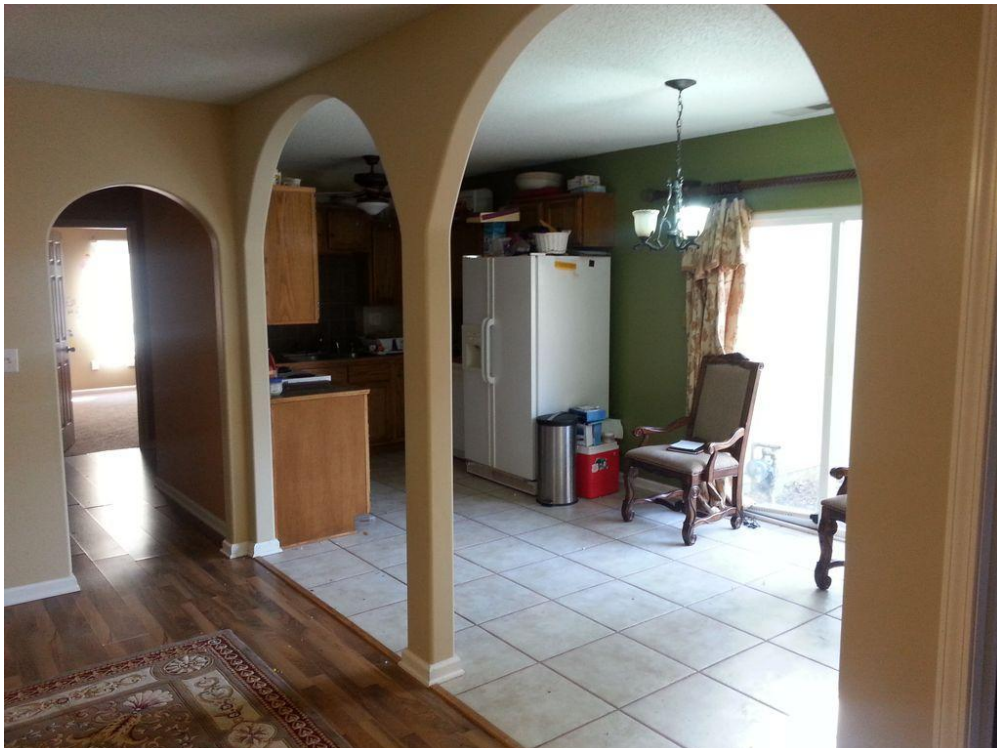
My center will be safe, non-toxic and clean at all times. All cleaning supplies will be locked safely out of reach of children.

We will provide an environment that will encourage appreciation of diversity and life long learning.

We want to make parents feel that this is like their child's second home and second family. I will do

care for all children with sincere and genuine concern and will use appropriate strategies based on each individual.

I plan to have a Live View on Demand Video and Audio camera with a two way speaker that will have a PIN CODE for each parent. Parents will be able to use their computers or cell phones to call in throughout the day at whatever time they like to personally see and hear their child's voice. This will help children and parents feel close to each other throughout the day.



SAMPLE MINUTES:

Application Number _____

Date and Location: 8/25/18
12601 Hollingsworth Rd, KC, KS 66109

Meeting called to order at: ~~5:00pm~~ 5:00pm

Names of people in attendance: Jennifer Rios and Marivel Fernandez

Introductions:

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Meeting adjourned at: 5:40pm

Minutes taken by: Marivel Fernandez

SP# 1840200058
MINUTES:

Application Number

Date: 8/25/2018

Location: 12601 Hollingsworth Rd
Kansas City, KS 66109

Meeting called to order at: 5:00pm

Names of people in attendance: Jennifer L. Rios and Marivel Fernandez
[None of the contacts on the list for the petitioned address (6601 Leavenworth Rd, Kansas City, KS 66104) were present.]

Introductions: None required

Presentation by applicant: Jennifer L. Rios

Questions and answers: N/A

Meeting adjourned at: 5:40pm

Minutes taken by: Marivel Fernandez

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now Jessica Lynn Rice, of lawful age, sound mind and upon his/her oath states as follows:

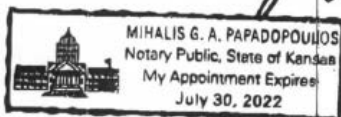
1. That I am the petitioner for Petition # _____.
2. That I conducted a neighborhood meeting on _____.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26 day of August, 2018.

My commission expires July 30 2022, 200.




Notary Public



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-78

GENERAL INFORMATION

Applicant:
Jeffery D. Zimmerman

Status of Applicant:
Quick Auto Sales
5819 Nieman Road
Shawnee, KS 66203

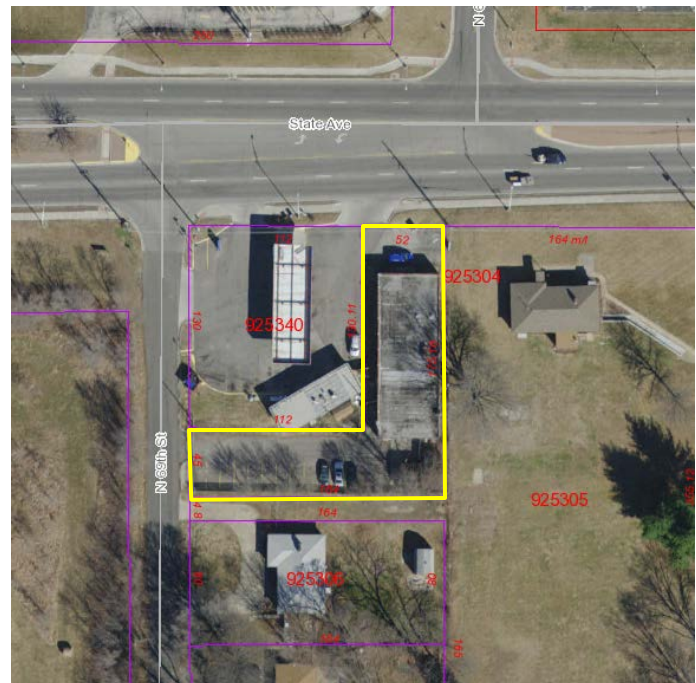
Requested Action:
Approval of Special Use Permit

Date of Application:
July 27, 2018

Purpose:
Renewal of a special use permit for
Auto repair and used car sales

Property Location:
6863 State Avenue

Existing Zoning:
CP-2 Planned General Business District



Existing Surrounding Zoning: **North:** CP-1 Planned Limited Business District and CP-2 Planned General Business District
South: R-1 Single Family District
East: C-1 Limited Business District
West: C-1 Limited Business District and R-1 Single Family District

Existing Uses: **North:** Bank
South: Single Family House
East: Duplex
West: Gas Station and Convenience Store

Total Tract Size: 1.51 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Mixed Use District.

Major Street Plan: The City-Wide Master Plan designates State Avenue as a Class A Thoroughfare

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 19, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jeffery D. Zimmerman, is requesting a renewal of a special use permit for a used car dealership and auto repair business at 6863 State Avenue.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The area is primarily commercial in nature with a few remaining residences. The primary feature of the area is the Lowes Home Improvement Store.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning of this area is mixed and the residential uses are too close to be considered compatible, but they are an existing condition in this commercial area.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

The removal of the restrictions may detrimentally affect nearby property due to the automotive use and related issues; primarily noise.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

The City-Wide Master Plan designates this property as Mixed Use but used car dealerships and automotive uses are not addressed in the master plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use will not result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience and welfare of the public.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The noise that is normally associated with auto repair and sales can create issues for the neighbors.

9. *Whether the proposed use will pollute the air, land or water.*

The users must comply with all Unified Government environmental policies and regulations.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This is not an issue.

11. The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.

There is no relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners. If this application is denied, the applicant will need to find another location to conduct this business.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

This is not an issue.

PREVIOUS ACTIONS

#SP-2016-45 was approved for a used car dealership and auto repair business in 2016.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 24, 2018. There was no opposition at the neighborhood meeting.

KEY ISSUES

Continued maintenance of building and landscaping.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-78, subject to:

Urban Planning and land Use Comments

1. Front parking area shall be stripped according to the site plan that was submitted with one ADA space and one customer space. The front parking lot shall be reserved for customers, cars for sale may not be parked in the front parking lot.
2. Building shall be maintained in good condition.
3. Landscaping shall be maintained in good condition.
4. No automobiles available for sale, rent, lease will be inoperable, ruined, dismantled, or wrecked.
5. Approval for two (2) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) None.
- B) Items that are conditions of approval (stipulations):
- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #SP-2018-78 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Business Plan Letter
Site Plan
Neighborhood Meeting Materials

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-78 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-78**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-78 – JEFFREY ZIMMERMAN –

SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-45 – expired 7/11/2018) for an auto repair shop and used car dealership at 6863 State Avenue. **Detailed Outline of Requested Action:** The applicant, Jeffery D. Zimmerman, is requesting a renewal of a special use permit for a used car dealership and auto repair business at 6863 State Avenue.

Planning Commissioner Connelly stated that he has seen cars in the front and on the side of the building and he thought there was only supposed to be six (6) cars.

Present in Support:

- ❖ Jeffrey Zimmerman, applicant, Quick Auto Sales, 5819 Nieman Road, Shawnee, Kansas 66203

Present in Opposition:

- ❖ No one appeared

Staff Recommendation: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report. He stated that staff will have zoning inspection visit the site to make sure they are in compliance.

On motion by Mr. Connelly, seconded by Mr. Miller, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application #SP-2018-78:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and land Use Comments

1. Front parking area shall be stripped according to the site plan that was submitted with one ADA space and one customer space. The front parking lot shall be reserved for customers, cars for sale may not be parked in the front parking lot.
2. Building shall be maintained in good condition.
3. Landscaping shall be maintained in good condition.
4. No automobiles available for sale, rent, lease will be inoperable, ruined, dismantled, or wrecked.
5. Approval for two (2) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None.
- B) Items that are conditions of approval (stipulations):
1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None

JEFFREY D. ZIMMERMAN

Attorney at Law
5819 NIEMAN RD
SHAWNEE, KS 66203
(913) 268-8877

FAX: (913)-268-8898
jdzimmermanlaw@gmail.com

Admitted: KS, MO

July 31, 2018

Kimberly Portillo, CFM
DRC Coordinator- Urban Planning and Land Use
Neighborhood Resource Center
4953 State Avenue
Kansas City, KS 66102

RE: Nablus, Ltd d/b/a Quick Auto Sales- Special Use Permit Renewal 4953 State Avenue,
Kansas City, KS

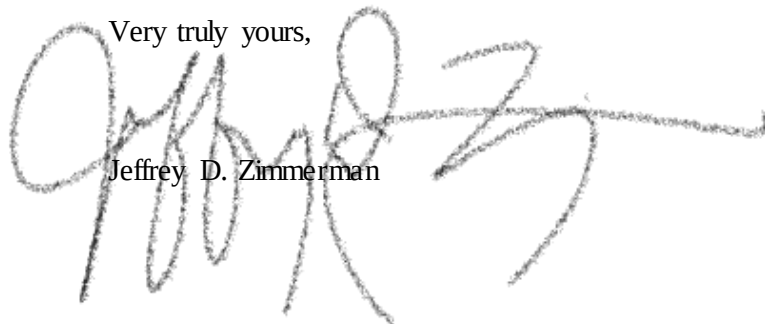
Dear Ms. Portillo:

This letter is intended as the business plan for the above referenced property in connection with the application to renew the Special Use Permit to operate an automotive business on the property at the above address.

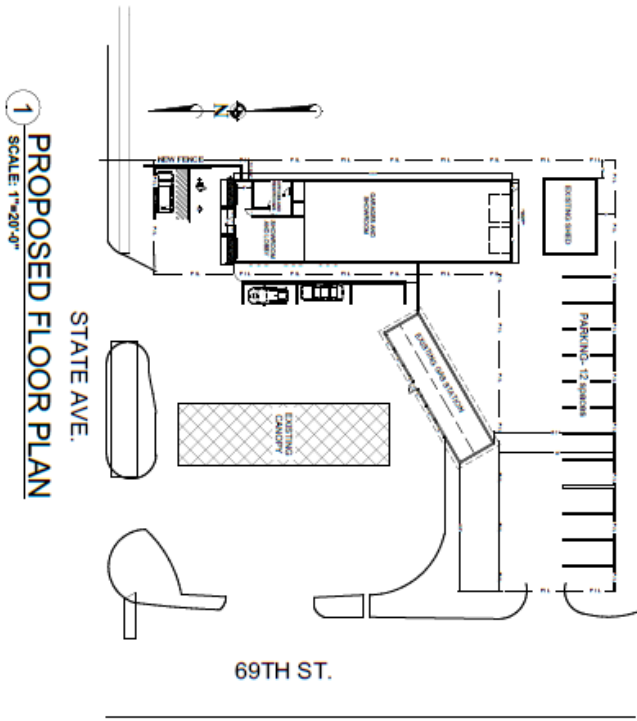
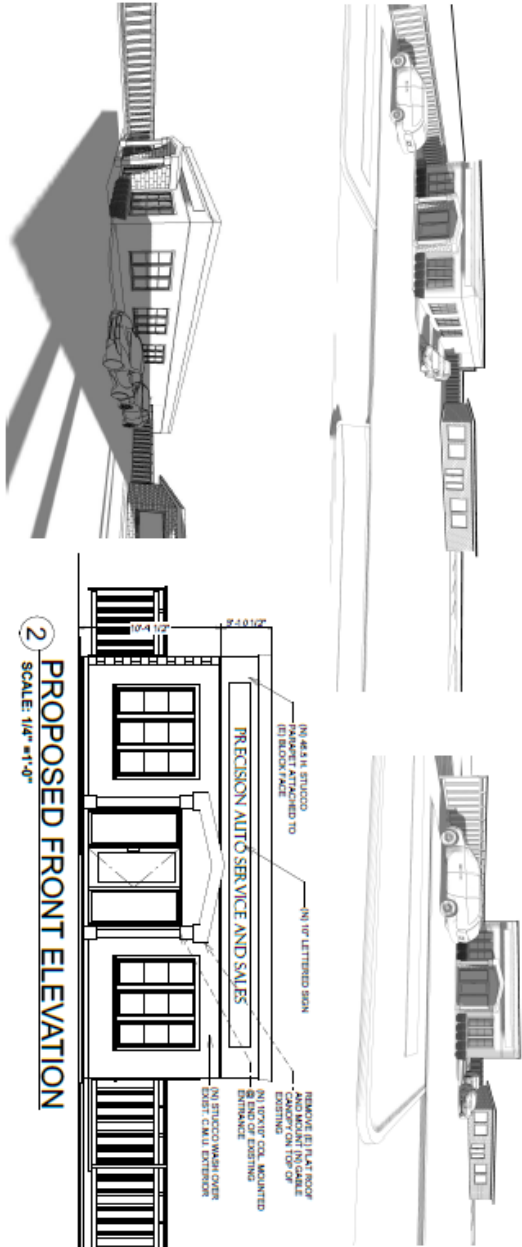
The business is currently operating as an auto sales business. There are no banners, flags or signs other than building signage. There is a small parking lot in the front where 4 cars are displayed. All other cars are displayed inside the building or in behind the building in the fenced parking lot which is not visible from State Avenue. Customers are generated through internet advertising and the business does not depend on walk in or drive by customers.

The business plan is to conduct business at the current level as conducted under the current special use permit and not to expand the business.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Jeffrey D. Zimmerman', is written over a printed name. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Jeffrey D. Zimmerman



MICHAEL D. DOERING
LAW OFFICE OF JEFFREY D. ZIMMERMAN
5819 Nieman Rd.
Shawnee, KS 66203
Phone: (913) 268-8877 Fax: (913) 268-8898
E-mail: mdd.zimmermanlaw@gmail.com
Admitted in Kansas & Missouri

August 13, 2018

Commissioner Jane Winkler Philbrook
701 North 7th Street, 9th Floor
Kansas City, KS 66101

SUBJECT: Neighborhood Meeting

Dear Sir/Madam:

On July 27, 2018, this office filed an application with the Unified Government Department of Urban Planning under Petition #SP-2018-78.

The purpose of the application for an extension of a Special Use Permit, filed on behalf of Nablus, Ltd., is to continue to utilize the premises located at 6863 State Avenue, Kansas City, KS 66102, as an auto repair shop with used car sales.

We are having a neighborhood meeting on Friday, August 24, 2018, at 10:00 a.m., at 6863 State Avenue, Kansas City, KS 66102.

The purpose of the meeting is to explain the proposal and to answer any questions or concerns you may have.

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please feel free to contact me at directly with any questions or concerns in this regard.

Sincerely,

LAW OFFICES OF JEFFREY D. ZIMMERMAN

Michael D. Doering, Esq.



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #SP-2018-79

GENERAL INFORMATION

Applicant:
Joe Heidrick

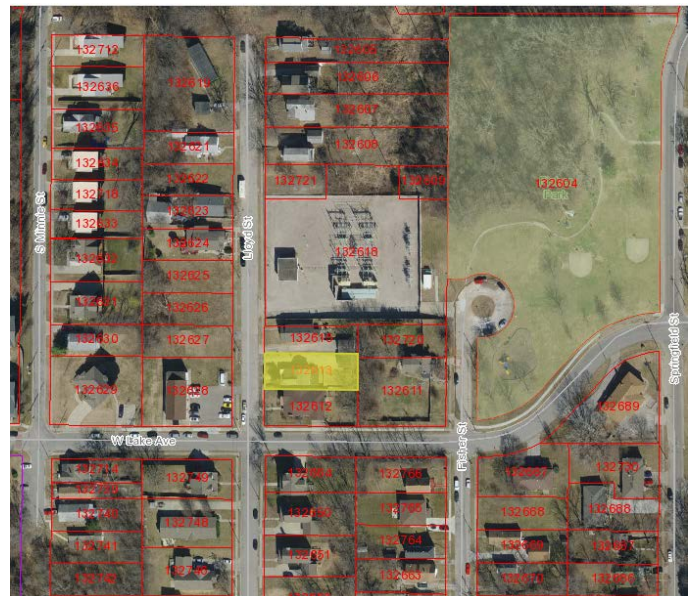
Status of Applicant:
Owner
Cactus Bed Properties LLC
625 West 58th Terrace
Kansas City, MO 64113

Requested Action:
Approval of Special Use Permit

Date of Application:
July 27, 2018

Purpose:
To operate an AIRBNB (resident does not reside in the home)

Property Location:
3841 Lloyd Street



Commission Districts:

1. Commissioner At-Large: Tom Burroughs
2. District Commissioner: Ann Brandau Murguia

Existing Zoning: R-1(B) Single Family District

Existing Surrounding Zoning: **North:** R-1(B) Single Family District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Single family home and BPU Substation
South: Single family homes
East: Single family homes
West: A church and vacant lot

Total Tract Size: .19 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Single Family.

Major Street Plan: The Major Street Plan classifies Lloyd Street as a local street.

Advertisement: The Wyandotte Echo – August 16, 2018
Letters to Property Owner – August 15, 2018 and September 21, 2018

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Joe Heidrick with Cactus Bed Properties LLC wants to operate a short-term rental (AIRBNB) at 3841 Lloyd Street. Mr. Heidrick will not live in the house and rent the entire residence through short term rental websites.

Code Enforcement Action: The applicant received a Notice of Violation letter from Jason Faust, Zoning Enforcement Officer, for operating a short-term rental without a special use permit on July 20, 2018.

City Ordinance Requirements: Sec. 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is primarily residential in nature, with single family homes along Lloyd Street. Two parcels north of the property in question is the BPU substation.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The zoning and uses of properties nearby are residential in nature. The proposed use should be compatible with the surrounding uses and zoning, so long as the AirBNB unit is managed properly. AirBnB operations have the potential to create issues related to parking and noise, of which the applicant will have to manage.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property?*

Removal of the restrictions should not detrimentally affect nearby property if the applicant manages his property well.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant.

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

There is potential for an increase in vehicular traffic to the applicant's residence. However, vehicular traffic will not exceed the capacity of the street network to accommodate it. According to the applicant, the driveway is long enough to park three vehicles without needing on-street parking.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides convenience in the form of lodging to the public and will not likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The proposed use should not create excessive noise, vibration, dust or illumination.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land, or water.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use would not damage or destroy an irreplaceable natural resource.

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain or loss to the public health, safety, and welfare is likely to be minimal. If denied, the applicant will not be able to use his home as an AIRBNB unit, however, Mr. Heidrick will still be able to rent, long-term with a rental license.

12. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

Staff has concerns that ten (10) occupants is too many at any one time and could be construed as a party house.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 21, 2018. According to the applicant, those that attended the meeting did not appear in opposition of Mr. Heidrick's application, although they had general concerns about Airbnb's.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2018-79, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: We have yet to start operation of the business and the house is currently occupied by a family friend who is going through cancer treatment at KU Med.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I have personally met both neighbors and have kept them in the loop throughout the process. I have asked them about their thoughts and offered my personal phone number to each of them if they have any concerns with the state of the property. Both have indicated they are very pleased with improvements that have been made.

Please see the neighborhood meeting minutes. Neighbors are pleased with the use of the property as a house for patients and families but have concerns with AIRBNB.

3. Do you have a business license?

Applicant Response: I currently do not hold a business license but do have a rental license. I will obtain a business license.

4. Have you paid appropriate lodging taxes?

Staff Response: The applicant did not respond this question, but if the property is not operating as a short-term rental, then there is no need to paid lodging taxes.

5. How many rooms are rented?

Applicant Response: There are five (5) conforming bedrooms in the house and two (2) full bathrooms. We offer this for rent as a four (4) bedroom to control the number of occupants.

The house has five (5) bedrooms and six (6) beds. One (1) king, one (1) queen, three (3) full, and one (1) single. At maximum, eight (8) adults and two (2) children can stay comfortably.

6. What is the maximum number of people that will be staying at any one time?

Applicant Response: If the tenants are all related the maximum number of occupants in the house is ten (10). Otherwise, we will comply with the city regulations of no more than five (5) occupants who are not related.

7. What is the maximum number of vehicles and where will they park?

Applicant Response: We limit the number of vehicles to three (3) during any rental period. The 40-yard driveway and 2 car garage is plenty to handle three (3) vehicles without disrupting the neighborhood.

Staff Response: While parking is available on both sides of the street, on-street parking is often a source of concern and conflict for neighbors. To minimize this concern and because the driveway extends to the rear yard, renters shall be required to park in the driveway and not on the street.

Applicant Response: Tenants will be required to park in the driveway.

8. How often are guests in the residence?

Applicant Response: The house will be available for rent any time except days needed for maintenance.

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: Yes.

10. Describe in detail the area(s) rented for AIRBNB other rental operations. Include bedrooms, bathrooms, common areas, etc.

Applicant Response: See details of house in the attachments.

11. How often are you at the property? How often do you travel? Staff has concerns that if you out of town, and an issue arises for neighbors, you are not physically there to address the situation.

Applicant Response: I personally live 10 minutes from the property and work 4 blocks away. I have great pride in the transformation of this property and will continue to work to make sure it is great for our guests and an asset to the neighborhood.

Staff Response: Could you elaborate how often you visit the property?

Applicant Response: Currently, I am at the property at least 5 days a week.

12. Who is the point person for any issues that may arise?

Applicant Response: I am the point of contact.

13. Do your neighbors have your contact information?

Applicant Response: Yes, I have met with my neighbors on either side of me.

Staff Response: We suggest reaching out to your nine (9) other residences on the street to let them know that you are intending to operate a short-term rental at 3841 Lloyd Street. Additionally, contact your neighbor to the east, off Fisher Street as they are an abutting property owner.

Applicant Response: Yes, my contact information has been shared in person and in a letter. I have attempted to reach the home owner on Fischer Street unsuccessfully to this point.

14. In addition to no parties and events, as associated with AIRBNB and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.
15. Weekday and weekend quiet time shall be at 10:00 PM.

Business License Comments:

1. If approved, applicant will need to file the occupation tax application with our office for the business activity.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Stipulations for Approval:

1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed.
 - d. Copper cannot be used for gas supply lines.
 - e. Windows must be operable, not blocked or boarded.
 - f. Handrails are required at sets of 4 or more stairs/risers.
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe.
2. Host will obtain a business license with the City for the property.
3. The maximum number of guests is limited to eight (8) people (not including an infant/child).

4. Only one additional (guest) car is permitted.
5. Quiet hours begin daily at 10:00 PM.
6. Approval is for one (1) year as the applicant does not reside in the home but works four (4) blocks away at KU Medical Center.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #**SP-2018-79** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Applicant Business Plan
Floor Plan
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	September 10, 2018	September 27, 2018
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-79** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-79**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at: 1:28:13:

SPECIAL USE PERMIT APPLICATION #SP-2018-79 – JOE HEIDRICK WITH CACTUS BED PROPERTIES LLC – SYNOPSIS: Special Use Permit for short-term rental AIRBNB at 3841 Lloyd Street. **Detailed Outline of Requested Action:** The applicant, Joe Heidrick with Cactus Bed Properties LLC wants to operate a short-term rental (AIRBNB) at 3841 Lloyd Street. Mr. Heidrick will not live in the house and rent the entire residence through short term rental websites.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo dated August 16, 2018; and
7. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Joe Heidrick, applicant, Cactus Bed Properties LLC, 625 West 58th Terrace, Kansas City, Missouri 64113
- ❖ Betty Warren, 3845 Lloyd Street, Kansas City, Kansas 66103

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 1:43:37: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 1:44:15:

On motion by Dr. Serda, seconded by Mr. Reasons, the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit Application #SP-2018-79:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: We have yet to start operation of the business and the house is currently occupied by a family friend who is going through cancer treatment at KU Med.

2. Were neighbors consulted prior to opening the business?

Applicant Response: I have personally met both neighbors and have kept them in the loop throughout the process. I have asked them about their thoughts and offered my personal phone number to each of them if they have any concerns with the state of the property. Both have indicated they are very pleased with improvements that have been made.

Please see the neighborhood meeting minutes. Neighbors are pleased with the use of the property as a house for patients and families but have concerns with AIRBNB.

3. Do you have a business license?

Applicant Response: I currently do not hold a business license but do have a rental license. I will obtain a business license.

4. Have you paid appropriate lodging taxes?

Staff Response: The applicant did not respond this question, but if the property is not operating as a short-term rental, then there is no need to paid lodging taxes.

5. How many rooms are rented?

Applicant Response: There are five (5) conforming bedrooms in the house and two (2) full bathrooms. We offer this for rent as a four (4) bedroom to control the number of occupants.

The house has five (5) bedrooms and six (6) beds. One (1) king, one (1) queen, three (3) full, and one (1) single. At maximum, eight (8) adults and two (2) children can stay comfortably.

6. What is the maximum number of people that will be staying at any one time?

Applicant Response: *If the tenants are all related the maximum number of occupants in the house is ten (10). Otherwise, we will comply with the city regulations of no more than five (5) occupants who are not related.*

7. What is the maximum number of vehicles and where will they park?

Applicant Response: We limit the number of vehicles to three (3) during any rental period. The 40-yard driveway and 2 car garage is plenty to handle three (3) vehicles without disrupting the neighborhood.

Staff Response: While parking is available on both sides of the street, on-street parking is often a source of concern and conflict for neighbors. To minimize this concern and because the driveway extends to the rear yard, renters shall be required to park in the driveway and not on the street.

Applicant Response: Tenants will be required to park in the driveway.

8. How often are guests in the residence?

Applicant Response: *The house will be available for rent any time except days needed for maintenance.*

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: Yes.

10. Describe in detail the area(s) rented for AIRBNB/other rental operations. Include bedrooms, bathrooms, common areas, etc.

Applicant Response: *See details of house in the attachments.*

11. How often are you at the property? How often do you travel? Staff has concerns that if you out of town, and an issue arises for neighbors, you are not physically there to address the situation.

Applicant Response: I personally live 10 minutes from the property and work 4 blocks away. I have great pride in the transformation of this property and will continue to work to make sure it is great for our guests

and an asset to the neighborhood.

Staff Response: Could you elaborate how often you visit the property?

Applicant Response: Currently, I am at the property at least 5 days a week.

12. Who is the point person for any issues that may arise?

Applicant Response: I am the point of contact.

13. Do your neighbors have your contact information?

Applicant Response: Yes, I have met with my neighbors on either side of me.

Staff Response: We suggest reaching out to your nine (9) other residences on the street to let them know that you are intending to operate a short-term rental at 3841 Lloyd Street. Additionally, contact your neighbor to the east, off Fisher Street as they are an abutting property owner.

Applicant Response: Yes, my contact information has been shared in person and in a letter. I have attempted to reach the home owner on Fischer Street unsuccessfully to this point.

14. In addition to no parties and events, as associated with AIRBNB and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.

15. Weekday and weekend quiet time shall be at 10:00 PM.

Business License Comments:

1. If approved, applicant will need to file the occupation tax application with our office for the business activity.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Stipulations for Approval:

1. Host will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed.
 - d. Copper cannot be used for gas supply lines.
 - e. Windows must be operable, not blocked or boarded.
 - f. Handrails are required at sets of 4 or more stairs/risers.
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe.
2. Host will obtain a business license with the City for the property.
3. The maximum number of guests is limited to eight (8) people (not including an infant/child).
4. Only one additional (guest) car is permitted.
5. Quiet hours begin daily at 10:00 PM.
6. Approval is for one (1) year as the applicant does not reside in the home but works four (4) blocks away at KU Medical Center.

Additions to Urban Planning and Land Use Staff Report

The term Airbnb has caused significant confusion in the neighborhood and taken focus away from the intended use of the property. I was told when I met with Zack in my original meeting that this would be termed "short term rental" and Urban Planning was not "company specific."

The primary focus of this property is to provide housing for patients and families being treated at KUMed. It was listed on Airbnb to reach such populations but also to fill some of the gaps between stays patients booked to use the property. It seems Urban Planning has used Airbnb as the primary focus of the property instead of short term rental causing concern in the neighborhood.

Response to Factors to be Considered:

11. I believe the impact on public health could be significant providing patients and their families an affordable place to live during long term treatments at KUMC.

12. Currently, the house has 5 bedrooms and 6 beds. 1 King, 1 Queen, 3 Full and 1 Single. At maximum 8 adults and 2 children can stay comfortably.

Response to Staff Comments and Suggestions

2. Please see neighborhood meeting minutes. Neighbors were pleased with the use of the property has house for patients and families but have concerns with Airbnb.

3. I will obtain a business license.

7. Tenants will be required to park in the driveway

11. Currently I am at the property at least 5 days a week.

12. Yes my contact information has been shared in person and in a letter. I have attempted to reach the home owner on Fischer unsuccessfully to this point.

Stipulations for Approval:

1. A rental inspection has been completed meeting all standards mentioned
2. In progress
3. Request a maximum of 6 adults at least for a 5 bedroom house
4. Agree
5. Agree
6. I do not understand this stipulation

Neighborhood Meeting Minutes
August 21, 2018 6:00 PM CST
3841 Lloyd St
Kansas City, KS 66103

In attendance:

- Joe Heidrick Petitioner and owner of 3841 Lloyd St, KC, KS 66103
 - Bettie Warren & daughter 3845 Lloyd St, KC, KS 66103
 - Erin Stryka RDA 1403 SW Blvd KC, KS 66103
 - Melvin and Michelle Robinson 2712 Lake Ave, Kansas City, KS 66103
 - Frank Jones Lloyd St, KC, KS 66103
 - Justin Pessetto 34805 Lloyd St, KC, KS 66103
-
- Mr. Heidrick opened the meeting detailing the timeline of the project from November 2017 to present. He indicated the house was initially purchased to be used as a long-term rental for students attending KUMC. Mr Heidrick and his wife both work for the University of Kansas and teach students at KUMC. As the renovations of the house progressed Mr Heidrick was injured and not able to get it finished before the ideal student housing turnover period. As a result, the concept of offering the house to patients of KUMC and their families was considered. This required Mr. and Mrs. Heidrick and additional investment and commitment to furnishing the house and preparing it for short term rental. This process was complete on July 5th 2018. On July 9th a family from Ellis, Kansas was identified as needing housing for as their son was beginning a month-long treatment for leukemia. They committed to reserve the house until August 9th. At that point, the house was posted for short term rental on Airbnb available Aug 9th through November. In short order, approximately 15 reservations were made for a variety of reasons ranging from weddings, family vacations, American Royal judging, and access to KUMC. Most notable was a man coming to have a kidney transplant at KUMC from Tacoma, WA and needed a place close to the hospital for him and his family. On July 25th Mr. Heidrick received a letter from the Urban Planning Commission directing him to cease operation of his short-term rental for which he had not obtained a Special Use Permit. All reservations were cancelled immediately and the property was removed from Airbnb. Mr. Heidrick does hold a rental license but was not aware of the Special Use Permit requirement. Mr. Heidrick is currently going through the permitting process and thus the reason for the neighborhood meeting.
 - Ms. Robinson indicated she is completely in favor of the property being used for short term rental for patients and families of KUMC but she has an issue with Airbnb. She feels Airbnb is not conducive to building a strong neighborhood and would rather have students living in the neighborhood for long periods rather than short term tenants neighbors do not know. Ms. Robinson indicated that she does not think the neighborhood needs another Airbnb.

- Mr. Heidrick responded that he understood her concerns and personally would rather have the property used exclusively for KUMC families but posted the property on Airbnb to reach people needing housing for KUMC treatment and also to fill the gaps between patient use to make the property financially viable. Mr. Heidrick made it clear to everyone at the meeting that the property was purchased as a long term investment.
- Mr. Pessetto shared Mrs. Robinson's concern of an Airbnb creating a disconnected neighborhood.
- Mr. Jones voiced concern that if provided the permit Mr. Heidrick could rent the house to anyone he wanted.
 - Mr. Heidrick confirmed that the permit is for any tenant renting the house for less than 30 days.
- Mr. Jones asked Mr. Heidrick how many Airbnb properties he owned.
 - Mr. Heidrick responded that this house was his only property he owned besides his home.
- Mrs. Warren raised concern about the house being rented to people she did not know and being so close she would be the person impacted the most. Mrs. Warren also indicated she was in favor of the house being used for use by KU patients and families.
 - Mr. Heidrick indicated his greatest concern is keeping all the neighbors happy but specially Mrs. Warren and Lloyd; both who live on either side of the property. He also indicated that if any of the neighbors had any concerns with what was going on at the property he would like to be notified immediately. Mr. Heidrick also made it very clear that if the neighbors are not content with what he is doing he is not interested in proceeding.
- Mrs. Warren's daughter asked what efforts had been made to fill the property exclusively with KU patients and families.
 - Mr. Heidrick responded that the current family in the house will be there until the end of November and his efforts have been to get the property ready for them. Moving forward Mr. Heidrick plans to contact all the social work departments for the surrounding hospitals as well as the cancer treatment centers in the city. Mr. Heidrick was confident the house could be filled exclusively with patients and families but has not explored the market yet. Mr. Heidrick indicated his concern with possible inconsistency of exclusively renting to patients and families and could not afford for the house to be empty for long periods of time.
- Mrs. Warren asked what measures were in place to screen who would be staying at the house through Airbnb?
 - Mr. Heidrick answered that any tenant has to give a reason for their stay and can be reviewed by previous host to determine if they have any past issues as a tenant. He also confirmed that some reservation requests were denied by him for tenants looking for a place to have a bachelor party.

- Mr. Pessetto confirmed that no background checks are done for short term rental through Airbnb.
- Mrs. Warren's daughter asked what percent of reservations made while the house was on Airbnb were for KU patients and families
 - Mr. Heidrick estimated 65%
- Ms. Stryka asked how many tenants would be in the house at one time.
 - Mr Heidrick answered that the house had 5 bedrooms and 6 beds. The maximum number would be 8 including children.
- Mr Heidrick informed everyone that the Special Use Permit would only be granted for 1 year and he would have to go through this process again next year if he desired to continue with a short-term rental.
- Mrs Robinson proposed that she would support an agreement between Mr Heidrick and the neighbors that if any major concerns arise Airbnb rentals would stop immediately. It was proposed this be on record at the September 10th meeting at City Hall.
- The general consensus of the meeting is the neighbors were in favor of Mr. Heidrick obtaining a Special Use Permit for the property to be used for patients and families of KUMC. However, the general use of the property to be used for Airbnb raised concerns of a disconnected neighborhood of tenants they did not know.
- Going forward Mr Heidrick will make efforts to ensure the house would be rented exclusively to patients and their families while keeping the neighbors informed throughout the process.

Short Term Rental / Special Use Permit Application

Property: 3841 Lloyd St Kansas City, KS 66103

Legal Description: Rosedale Park & 1327, S34, T11, R25, ACRES 0.19000, B3 L27 & L28

Home size 1428 sqft

Lot size 8233 sqft

Built 1910

My wife and I purchased this home in November 2017 with the original plan to turn it into a rental for students as we both work and teach at KUMed. In time, we fully renovated the home and found an unmet need for patients and their families to have a place to stay while being treated at KUMed. We have now shifted our primary focus to offering a short term rental at this property to patients and their families with a secondary focus of providing lodging for people visiting the city through Airbnb.

We have yet to start operation of the business and the house is currently occupied by a family friend who is going through cancer treatment at KUMed.

I have personally met both neighbors and have kept them in the loop throughout the process. I have asked them about their thoughts and offered my personal phone number to each of them if they have any concerns with the state of the property. Both have indicated they are very pleased with the improvements that have been made.

I currently do not hold a business license but do have a rental license.

There are 5 conforming bedrooms in the house and 2 full bathrooms. We offer this for rent as a 4 bedroom house to control the number of occupants.

If the tenants are all related the maximum number of occupants in the house is 10. Otherwise, we will comply with the city regulations of no more than 5 occupants who are not related.

We limit the number of vehicles to 3 during any rental period. The 40 yard driveway and 2 car garage is plenty to handle 3 vehicles without disrupting the neighborhood.

The house will be available for rent any time except for days needed for maintenance.

Details of the house:

A spacious front porch that is closed in with sliding glass doors as well as screens.
The front living room is 14 x 14 with a couch, 2 chairs and a television.

The front bedroom is off the living room and is 10 x 14 with a set of bunk beds and a small closet. The dining room is 14 x 12 and includes the stair case the second level. Off the dining room is a small bedroom 10 x 12 that is advertised as a common room on the site description. This room also has access to the master bathroom. The dining room also connects directly to the kitchen where there is are 2 bar stools as well as stacked washer and dryer. Through the kitchen is the master bedroom 14 x 24 with a king size bed, television, and master walk in closet. The back entrance to the house is also in the master bedroom. The master bedroom connects to the master bathroom with a double vanity and walk in shower.

The second level of the house is 2 bedrooms 12 x 12 with queen size beds and a small full bathroom between them at the top of the stairs.

From the time we took ownership of the house we have fully renovated every room. We completely updated the plumbing in both bathrooms and the kitchen. All outlets have been updated to meet the requirements of the city's rental licensure inspection. We have updated the electrical box and ran new wiring in the crawl space. Every bedroom and common space has a new working smoke detector. There are also 2 carbon monoxide detectors in the home. The first rental inspection was completed June 26th and all violations have been corrected. We are waiting for re-inspections to finalize the license.

I personally live 10 minutes from the property and work 4 blocks away. I have great pride in the transformation of this property and will continue to work to make sure it is great for our guests and an asset to the neighborhood.



Joe Heidrick
919-606-9381



Figure 1. Photograph of 3841 Lloyd Street (provided by Google Maps - Street View).

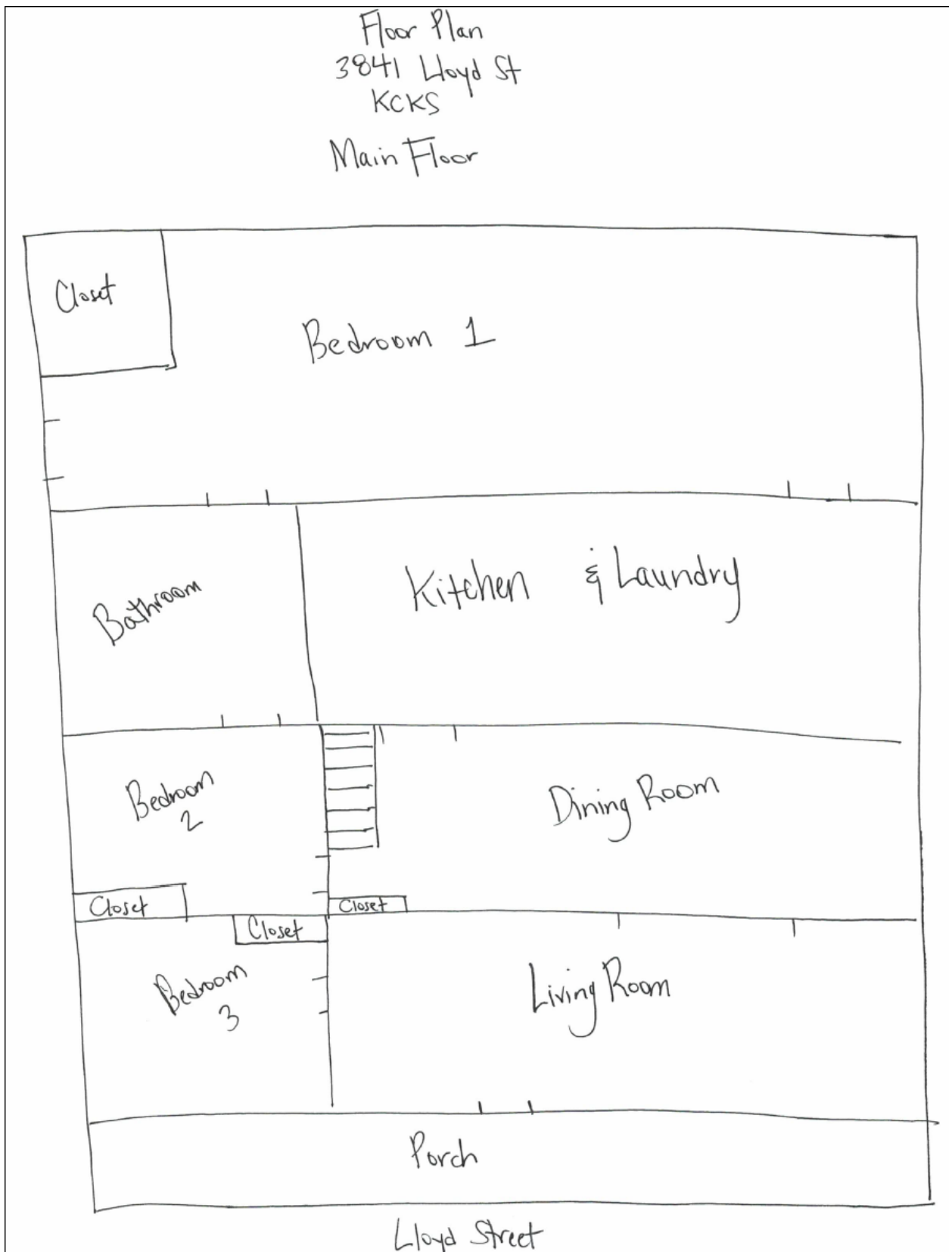


Figure 2. Floor plan of 3841 Lloyd Street (provided by the applicant).

Floor Plan
3841 Lloyd St
KCKS
2nd Floor

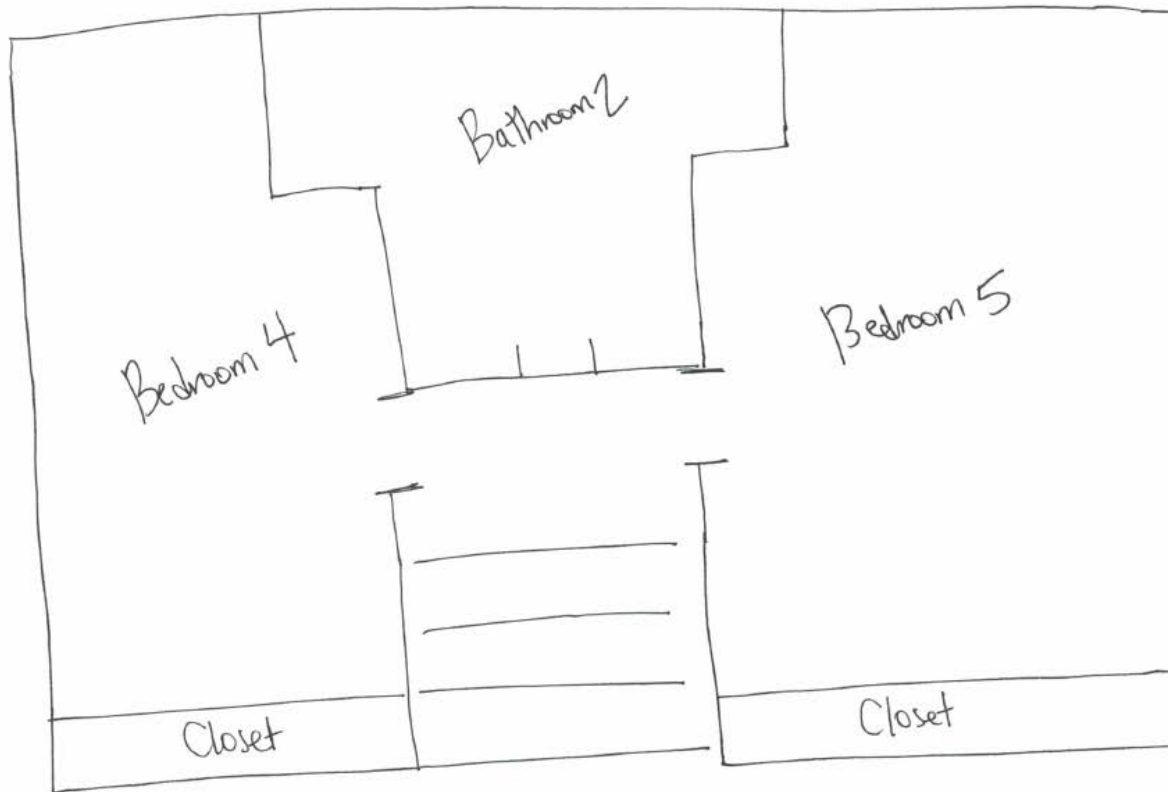


Figure 3. Floor plan of 3841 Lloyd Street (provided by the applicant).



Figure 4. Photograph of 3841 Lloyd Street (provided by the applicant).



Figure 5. Photograph of living room at 3841 Lloyd Street (provided by the applicant).



Figure 6. Photograph of the kitchen at 3841 Lloyd Street (provided by the applicant).



Figure 7. Photograph of dining room at 3841 Lloyd Street (provided by the applicant).



Figure 8. Photograph of bedroom #1 at 3841 Lloyd Street (provided by the applicant).



Figure 9. Photograph of bedroom #2 at 3841 Lloyd Street (provided by the applicant).



Figure 10. Photograph of bedroom #3 at 3841 Lloyd Street (provided by the applicant).



Figure 11. Photograph of the two-car garage at 3841 Lloyd Street (provided by the applicant).



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: **#PR-2018-18 – Update and Addendum**

UPDATE

It has been determined that construction of a new elementary school connecting to 91st Street will cause the need for major road infrastructure improvements to 91st Street that exceed what is proposed in the site plan for the school. The County Administrator has confirmed there is not funding in the current five-year Capital plan for this road. Public Works has identified that improvements will be necessary in the next two to three years if the project is approved. Reconstruction of 91st Street from Parallel Parkway to Georgia is estimated at \$6 million dollars and complete road reconstruction and intersection improvements from Parallel to Leavenworth Road are likely to exceed \$20 million dollars. Staff has identified an alternative route which would create a direct connection to 90th Street at Parallel by building a new road to the south of the proposed school. This project is likely to cost less than \$2.5 million, however it does require the acquisition of property and more thorough road design work.

As there is not funding allocated at this time for any road work to be done by the Unified Government in association with this new development, the County Administrator would like the Commission to understand that it will become the Unified Government's obligation to reconstruct 91st Street in the near future if 1) a stipulation for this work is not placed on the developer or 2) an alternative plan is not specified.

A stipulation can be made in the form of requiring improvements to allow an adequate roadway to be maintained/improved as determined by the Director of Public Works and for the cost of those improvements to be borne by the project developer. This is common and legal for any development project. Alternatively, the UG could elect to contribute to the cost of the new infrastructure with the school.

Options for approval:

1. Approve the current plan proposed by USD 500
 - a. require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be borne by the project at the time the project is constructed; or
 - b. require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be shared between the project and the Unified Government with funding percentages and timing to be determined later; or
 - c. require improvements to allow an adequate roadway to be maintained and for the cost of those improvements to be borne by the Unified Government with the timing of the improvements determined later.
2. Approve the alternate plan connecting from the current southern property line of the project to Parallel at 90th for development concurrently with the project.
 - a. require improvements with the cost of those improvements to be borne by the project; or
 - b. require improvements with for the cost of those improvements to be shared equally by the project and the Unified Government; or
 - c. require improvements with the cost of those improvements to be borne by the Unified Government; or

Recommendation

Staff recommends the Unified Government Board of Commissioners approve staff to amend the Preliminary Plan proposed by PR-2018-18 as necessary to allow for a southern connection to Parallel at 90th Street utilizing option 2 B above. This is likely to include land acquisition, road improvements and signal upgrades. Alternatively, USD 500 could develop under option 1.a. above with the required improvements approved by the Director of Public Works.

USD 500 should inform the County Administrator of their preference by December 31, 2018.

Any action taken by the Board of Commissioners on this project tonight will require six (6) votes as the item has previously been returned to the City Planning Commission.

Any contribution by the Unified Government will need to be approved through the normal budget and other required processes.



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: **Petition #PR-2018-18**

GENERAL INFORMATION

Applicant:
Brian Hill, P.E.

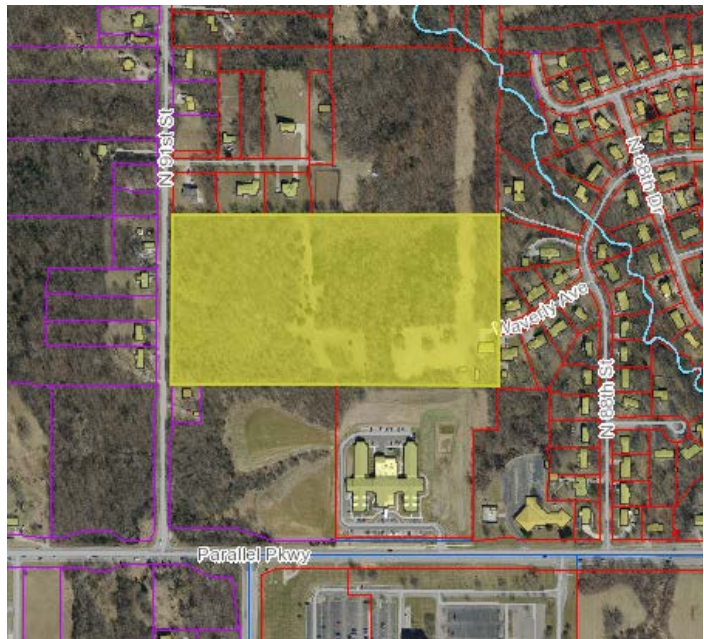
Status of Applicant:
MKEC Engineering, Inc.
11827 West 112th Street, Suite 200
Overland Park, KS 66210

Requested Action:
Approval of Preliminary
Development Plan

Date of Application:
April 27, 2018

Purpose:
To build a 72,004 square foot
elementary school

Property Location:
8833 Waverly Avenue



Commission Districts:

1. Commissioner At Large: Melissa Bynum
2. District Commissioner: Michael (Mike) Kane

Existing Zoning: R-1 Single Family District

Surrounding Zoning:

North:	R-1 Single Family District
South:	R-1 Single Family District
East:	R-1 Single Family District
West:	A-G Agriculture District

Existing Uses:

North:	Single family homes
South:	Single family homes and senior living facility
East:	Single family homes
West:	Single family homes

Total Tract Size: 14.77 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Low Density Residential

Major Street Plan: The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare and 91st Street as a Class B Thoroughfare

Advertisement: Property Owner Letters – May 17, 2018, May 21, 2018, June 21, 2018, July 2, 2018, August 21, 2018 and September 3, 2018.
Wyandotte Echo – None Required

Public Hearings: June 11, 2018, June 28, 2018, August 13, 2018, August 30, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the June 11, 2018 or August 13, 2018 City Planning Commission meetings; two ladies were present with questions at the June 11, 2018 meeting and one person at the August 13, 2018 meeting.

PROPOSAL

Detailed Outline of Requested Action: Brian Hill, P.E. of MKEC Engineering, Inc. on behalf of Kansas City Kansas Public Schools wants to build a new 72,004 square foot elementary school on 17.44 acres at 8833 Waverly Avenue.

City Ordinance Requirements: Article VII Sections 27-245 – 27-339 and Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The surrounding neighborhood is primarily a single-family, low-density residential neighborhood.

2. ***The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.***

The proposed use will increase traffic along 91st Street in ways that would affect the road capacity. Streets must be redesigned so as to provide a safe, convenient and functional system for vehicular traffic, and have such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

3. ***The degree of conformance of the proposed use to the Master Plan.***

The proposed use conforms to the Master Plan.

4. ***The capability of the proposed use to meet applicable ordinance and other requirements.***

The proposed use is capable of meeting applicable ordinance and other requirements.

5. ***Development of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.***

Development is of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

6. ***The extent to which utilities and public services are available and adequate to serve the proposed use.***

- a. ***Water service***

Available

- b. ***Sanitary sewer service***

Must be provided

- c. ***Storm water control***

To be designed to meet City Code

- d. ***Police***

Police service provided by West Patrol, District #222

e. Fire

Fire service provided by Station #6

f. Transit

Kansas City ATA provides a transit service Route #116

g. Schools

Kansas City, Kansas USD 500

7. Assurance that buildings, lots, blocks, parcels and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection, and to provide for long-term sustained real estate values.

Buildings and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection and to provide for long-term sustained real estate values.

8. Development patterns are designed with due regard to topography, so that the natural features of the land and vegetation shall be protected and enhanced.

The development is being designed with regards to topography, so the natural features of the land shall be enhanced.

9. Adequate sites are provided for schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

A playground is being provided as part of the elementary school.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 24, 2018. The minutes, sign-in sheet and affidavit are attached.

KEY ISSUES

91st Street Improvements
Connection to Waverly Avenue
Public Works comments

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to **uphold** its previous recommendation and recommends **APPROVAL** of Plan Review Application #PR-2018-18, **subject to the previously approved stipulations (listed below) and one additional stipulation that the school district work with staff to attempt to find a solution for a sidewalk to be constructed that will connect to Waverly:**

Urban Planning and Land Use Comments:

1. The landscape plan does not include a legend indicating quantity or species.

Applicant Response: Legend including quantities and species will be included with final development plan submittal once final landscaping has been determined. For additional landscaping added to southern property line, a revised Landscape Plan is included in this resubmittal.

2. One tree is required per 7,000 square feet of site area. Therefore 92 trees are required to be planted. This does not include street trees or parking lot islands. How many trees are included in the existing screening to the northwest and northwest of the proposed building?

Applicant Response: Over 92 trees currently exist and will be preserved to meet this requirement.

3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Applicant Response: Rooftop mechanical equipment shall be located so it is typically not visible from the public right-of-way as confirmed by Rob Richardson previously. Rooftop equipment that is visible from the public right-of-way shall be screened by parapets or similar building elements. The owner may, at their discretion, elect to provide equipment-mounted screens on RTU's which are otherwise not visible from the public right-of-way. Adjacent private property is not considered public right-of-way.

4. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Comment acknowledged; all items will be screened with landscaping.

5. All downspouts will be internalized.

Applicant Response: Typically, downspouts will be internalized. There will be a few cases where proper building design renders this approach

infeasible. In such cases, downspouts will be minimized visually and/or design by other building elements.

6. The parking lot islands shall not be hatched, instead they shall be curbed and landscaped.

Applicant Response: The site plan proposes a 28' landscaped median located in the center of the parking lot. The large median will exceed parking lot landscape requirements and is a more conducive location for landscaped than curbed islands. Also, snow removal will be plowed over the west curb line of the parking lot. The striped islands better allow for snow removal. We propose the site plan remain unchanged and is a better option aesthetically than adding additional smaller medians.

Staff Response: *Mark Twain Elementary, Hazel Grove Elementary, and Frank Rushton Elementary Schools have curbed and landscaped parking lot islands that bookend their parking lots and Lowell W. Brune Elementary School shall be treated no differently.*

7. *All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.*

Applicant Response: *Comment acknowledged.*

8. The trash enclosure doors shall not be oriented towards the street. At the entrance into the site from the roundabout, the enclosure doors are in full view.

Applicant Response: The trash enclosure is currently outside of all the fenced play areas and is located in close proximity to the kitchen. Relocating the trash enclosure east would result in a potential truck conflict with students at play areas. The proposed site plan currently provides a landscape buffer along the perimeter of the enclosure, and the drive approach to the enclosure. The trash enclosure will be approximately 20' higher in elevation relative to the right-of-way at North 91st Street. In addition, the enclosure and doors will be made of materials consistent with the building. Due to the overall functionality of the site, and limited views from the street, we propose the enclosure location and orientation to remain unchanged.

Staff Response: The landscape buffer has been extended from the trash enclosure to shield the enclosure doors from North 91st Street.

9. A sidewalk shall be extended from Parallel Parkway to Georgia Avenue on 91st Street. This school is combining two schools in the area, White Church at 85th and Greeley Avenue and Bethel Elementary School at 77th and Yecker Avenue.

Applicant Response: The District will be changing the standard bussing policy for Lowell W. Brune Elementary and will be providing bus service for all students attending Brune Elementary. The School District will build a sidewalk on District property across the 91st Street property frontage shown on the preliminary development plans.

Staff Response: There will be students walking to this elementary school along 91st Street as there are residences north towards Georgia Avenue. If this sidewalk extension is not approved with this project, it will be included in the Safe Routes to School Program which the City would likely need to be required to fund.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Engineering comments are listed as stipulations below.
- B) Items that are conditions of approval (stipulations):
 - 1) Public Works staff is still evaluating the roundabout option. Further discussion with staff will need to occur prior to final plan submittal.
 - 2) With final plan submittal, revise the detention outlet location so the flared end section or rip rap level spreader is not within the utility easement along the property line. With final plans provide all calculations and construction details for the rip rap level spreaders so they are acceptable to the UG.
 - 3) As discussed with staff previously, extend the public sanitary sewer main north in order to serve the homes to the west of 91st Street.
 - 4) Relocate the power pole that is illustrated to be reset nearly on top of the proposed public sanitary sewer.
 - 5) Provide additional sewer easement along the east side of 91st Street because the ROW is only 6' from the proposed sanitary sewer. Per UG requirements, minimum sewer easement shall be 15' centered on the sewer line.
 - 6) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission. **An update will be provided to the Board of Commissioners at the September 27, 2018 meeting.**

Update – August 30, 2018:

The application was referred back to the City Planning Commission by the Board of Commissioners on June 28, 2018, so staff could evaluate design alternatives for 91st Street in addition to making a connection to the neighborhood on Waverly Avenue, east

of the proposed development.

Staff received two options from the Public Works Department regarding improvements made to 91st Street between Parallel Parkway and Leavenworth Road.

Option #1, which includes improvements to 91st and Parallel Parkway to the school's south property line, the school's north property line to Georgia Avenue, Georgia Avenue to Leavenworth Road, intersections, storm boxes, possible right-of-way/easement relocations, connection to Waverly Avenue through the school property, design and construction inspection. Total estimated cost: \$10,488,676.00

Option #2, which re-aligns the current offset between 90th Street and 91st Street along Parallel Parkway, improvements to 91st and Parallel Parkway to the school's south property line, the school's north property line to Georgia Avenue, Georgia Avenue to Leavenworth Road, intersections, signal improvements at 91st and Leavenworth Road, connection to Waverly Avenue through the school property, design and construction inspection. Total estimated cost: \$24,798,845.50.

The development of the school will cause a road improvement project that is likely to happen in the near future, within the next couple of years that otherwise would not happen or would not be listed as a priority in the next 20 years. These two options with their estimated costs are not in our five (5) year CMIP plan.

NOTE: The Planning Commission did not make any recommendation regarding the street improvements.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #PR-2018-18 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 11, 2018 City Planning Commission Minutes
August 13, 2018 City Planning Commission Minutes
Neighborhood Meeting Minutes
Applicant Response Letter
Preliminary Plat
Site Plan
Grading Plan
Utility Plan
Landscape Plan
Building Elevations
Public Works Cost Evaluation for 91st Street Improvements
Public Works Traffic Comments

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Preliminary Plan	June 11, 2018	June 28, 2018
Approval	August 13, 2018	Referred Back
Approval		August 30, 2018
		Held Over
		September 27, 2018

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**PR-2018-18** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**PR-2018-18** as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

June 11, 2018 City Planning Commission Minutes:

Hearing Starts at 2:42:

91ST STREET ELEMENTARY SCHOOL – SYNOPSIS: Preliminary Plat for one (1) lot for an elementary school at 8833 Waverly Avenue.

PLAN REVIEW APPLICATION #PR-2018-18 – SYNOPSIS: Preliminary Plan Review for an elementary school at 8833 Waverly Avenue

Detailed Outline of Requested Action: Brian Hill, P.E. of MKEC Engineering, Inc. on behalf of Kansas City Kansas Public Schools wants to build a new 72,004 square foot elementary school on 17.44 acres at 8833 Waverly Avenue.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated June 11, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and
6. The Notices to property owners dated May 17, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Brian Hill, applicant, MKEC Engineering, Inc., 11827 West 112th Street, Suite 200, Overland Park, KS 66210
- ❖ Doug Clements, Director of Physical Properties, 2010 North 59th Street, Kansas City, Kansas
- ❖ Brittney Weiser, HTK Architects, 9300 West 110th Street, Suite 150, Overland Park, Kansas 66210

Present in Opposition:

- ❖ Kathy Anderson, 2222 North 91st Street, Kansas City, Kansas 66109
- ❖ Paula Ivy

Staff Recommendation starts at 2:58:02: Planner Toy stated that the staff recommends approval subject to the stipulations in the staff report for both applications.

Motion and Vote starts at 2:58:30:

On motion by Ms. Jones, seconded by Ms. Pauley, the Planning Commission voted as follows to **APPROVE this plat:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Childress	Not Present
Mose	Not Present
Serda	Not Present

Motion to APPROVE Passed: 7 to 0
Subject to:

Urban Planning and Land Use Comments:

1. The landscape plan does not include a legend indicating quantity or species.

Applicant Response: Legend including quantities and species will be included with final development plan submittal once final landscaping has been determined. For additional landscaping added to southern property line, a revised Landscape Plan is included in this resubmittal.

2. One tree is required per 7,000 square feet of site area. Therefore 92 trees are required to be planted. This does not include street trees or parking lot islands. How many trees are included in the existing screening to the northwest and northwest of the proposed building?

Applicant Response: Over 92 trees currently exist and will be preserved to meet this requirement.

3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Applicant Response: Rooftop mechanical equipment shall be located so it is typically not visible from the public right-of-way as confirmed by Rob Richardson previously. Rooftop equipment that is visible from the public right-of-way shall be screened by parapets or similar building elements. The owner may, at their discretion, elect to provide equipment-mounted screens on RTU's which are otherwise not visible from the public right-of-way. Adjacent private property is not considered public right-of-way.

4. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: Comment acknowledged; all items will be screened with landscaping.

5. All downspouts will be internalized.

Applicant Response: Typically, downspouts will be internalized. There will be a few cases where proper building design renders this approach infeasible. In such cases, downspouts will be minimized visually and/or design by other building elements.

6. The parking lot islands shall not be hatched, instead they shall be curbed and landscaped.

Applicant Response: The site plan proposes a 28' landscaped median located in the center of the parking lot. The large median will exceed parking lot landscape requirements and is a more conducive location for landscaped than curbed islands. Also, snow removal will be plowed over the west curb line of the parking lot. The striped islands better allow for snow removal. We propose the site plan remain unchanged and is a better option aesthetically than adding additional smaller medians.

Staff Response: *Mark Twain Elementary, Hazel Grove Elementary, and Frank Rushton Elementary Schools have curbed and landscaped parking lot islands that bookend their parking lots and Lowell W. Brune Elementary School shall be treated no differently.*

7. ***All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.***

Applicant Response: *Comment acknowledged.*

8. **The trash enclosure doors shall not be oriented towards the street. At the entrance into the site from the roundabout, the enclosure doors are in full view.**

Applicant Response: The trash enclosure is currently outside of all the fenced play areas and is located in close proximity to the kitchen. Relocating the trash enclosure east would result in a potential truck conflict with students at play areas. The proposed site plan currently provides a landscape buffer along the perimeter of the enclosure, and the drive approach to the enclosure. The trash enclosure will be approximately 20' higher in elevation relative to the right-of-way at North 91st Street. In addition, the enclosure and doors will be made of materials consistent with the building. Due to the overall functionality of the site, and limited views from the street, we propose the enclosure location and orientation to remain unchanged.

Staff Response: The landscape buffer has been extended from the trash enclosure to shield the enclosure doors from North 91st Street.

9. **A sidewalk shall be extended from Parallel Parkway to Georgia Avenue on 91st Street. This school is combining two schools in the area, White Church at 85th and Greeley Avenue and Bethel Elementary School at 77th and Yecker Avenue.**

Applicant Response: The District will be changing the standard bussing policy for Lowell W. Brune Elementary and will be providing bus service for all students attending Brune Elementary. The School District will build a sidewalk on District property across the 91st Street property frontage shown on the preliminary development plans.

Staff Response: There will be students walking to this elementary school along 91st Street as there are residences north towards Georgia Avenue. If this sidewalk extension is not approved with this project, it will be included in the Safe Routes to School Program which the City would likely need to be required to fund.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:**
- 1) Engineering comments are listed as stipulations below.**
- B) Items that are conditions of approval (stipulations):**
- 1) Public Works staff is still evaluating the roundabout option. Further discussion with staff will need to occur prior to final plan submittal.**
 - 2) With final plan submittal, revise the detention outlet location so the flared end section or rip rap level spreader is not within the utility easement along the property line. With final plans provide all calculations and construction details for the rip rap level spreaders so they are acceptable to the UG.**
 - 3) As discussed with staff previously, extend the public sanitary sewer main north in order to serve the homes to the west of 91st Street.**
 - 4) Relocate the power pole that is illustrated to be reset nearly on top of the proposed public sanitary sewer.**
 - 5) Provide additional sewer easement along the east side of 91st Street because the ROW is only 6' from the proposed sanitary sewer. Per UG requirements, minimum sewer easement shall be 15' centered on the sewer line.**
 - 6) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
- 1) None**

On motion by Ms. Jones, seconded by Ms. Pauley, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2018-18:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Pauley	Aye
Reasons	Aye
Huey	Chairman
Childress	Not Present
Mose	Not Present
Serda	Not Present

Motion to APPROVE Passed: 7 to 0
Subject to the above stipulations.

August 13, 2018 City Planning Commission Minutes:

Hearing Starts at 47:01:

PLAN REVIEW APPLICATION #PR-2018-18 – BRIAN HILL WITH MKEC

ENGINEERING - SYNOPSIS: Preliminary Plan Review for an elementary school at 8833 Waverly Avenue. **Detailed Outline of Requested Action:** Brian Hill, P.E. of MKEC Engineering, Inc. on behalf of Kansas City Kansas Public Schools wants to build a new 72,004 square foot elementary school on 17.44 acres at 8833 Waverly Avenue.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated August 13, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and
6. The Notices to property owners dated May 17, May 21, June 21, and July 2, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Recording Secretary Parker reminded the Commission that it has heard this application before and sent it forward to the Board of Commissioners with a recommendation of approval. The Board of Commissioners returned the application to the Planning Commission for further consideration (concerning road improvements.)

Present in Support:

- ❖ Dr. Kelli Mather 1730 North 92nd Terrace, Kansas City, Kansas 66112
- ❖ Brian Hill, MKEC Engineering, applicant, 11827 West 112th Street, Suite 200, Overland Park, Kansas 66210
- ❖ There were two persons present in support that did not speak

During the presentation by the applicant the question regarding the responsibility of infrastructure improvements was discussed between the applicant, Planning Commission, Planner Flanders and Public Works Director Jeff Fisher and also how this information was relayed to the applicant. Public Works developed two options for the infrastructure improvements (listed in the staff report.) These improvements are not budgeted in the Unified Government budget and will be necessary 3 to 5 years after the school opens.

Present in Opposition/Questions:

- ❖ Paula Ivy, 2222 North 91st Street, Kansas City, Kansas

Several Planning Commission members directed questions to Planning and Public Works staffs regarding how both parties got to this point without the road improvements being resolved, especially after so much money had already been spent by the school district.

Deputy Chief Counsel Waters stated that according to Statute the application has to go back to the next regularly scheduled Board of Commissioners' meeting as they remanded it back to the Planning Commission. He further stated that he does not know that the Planning Commission has to make a decision regarding the overall road improvements. The Commission has the preliminary plan for review and the additional stipulation regarding Waverly. The Commission can consider those factors. Ultimately the Governing Body will make the decision concerning the road improvements. However, the Planning Commission does need to make a recommendation this evening on this application.

Staff Recommendation starts at 1:37: Planner Flanders stated that the staff recommends approval of this plan review with the stipulations outlined in the staff report and the additional stipulation that the school district work with staff to find a solution to get a sidewalk to Waverly. He further stated that the staff is not making any stipulations on the road improvements (Option 1 or Option 2.) That was for information only as provided by Public Works.

Motion and Vote starts at 1:42:

On motion by Mr. Carson, seconded by Mr. Ernst, the Planning Commission voted as follows to **uphold its previous recommendation and RECOMMENDS APPROVAL of Plan Review Application #PR-2018-18 subject to the previously approved stipulations (listed below) and one additional stipulation that the school district work with staff to attempt to find a solution for a sidewalk to be constructed that will connect to Waverly:**

Carson	Aye
Childress	Not Present
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Pauley	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman

Motion to RECOMMEND APPROVAL Passed: 8 to 0

Subject to:

Urban Planning and Land Use Comments:

1. The landscape plan does not include a legend indicating quantity or species.

Applicant Response: Legend including quantities and species will be included with final development plan submittal once final landscaping has

been determined. For additional landscaping added to southern property line, a revised Landscape Plan is included in this resubmittal.

2. One tree is required per 7,000 square feet of site area. Therefore 92 trees are required to be planted. This does not include street trees or parking lot islands. How many trees are included in the existing screening to the northwest and northwest of the proposed building?

Applicant Response: Over 92 trees currently exist and will be preserved to meet this requirement.

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Applicant Response: Comment acknowledged; all items will be screened with landscaping.

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Applicant Response: Typically, downspouts will be internalized. There will be a few cases where proper building design renders this approach infeasible. In such cases, downspouts will be minimized visually and/or design by other building elements.

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Applicant Response: The site plan proposes a 28' landscaped median located in the center of the parking lot. The large median will exceed parking lot landscape requirements and is a more conducive location for landscaped than curbed islands. Also, snow removal will be plowed over the west curb line of the parking lot. The striped islands better allow for snow removal. We propose the site plan remain unchanged and is a better option aesthetically than adding additional smaller medians.

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Staff Response: There will be students walking to this elementary school along 91st Street as there are residences north towards Georgia Avenue. If this sidewalk extension is not approved with this project, it will be included in the Safe Routes to School Program which the City would likely need to be required to fund.

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 - 6) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.**
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
 - 1) None**



Lowell W. Brune Elementary School
Neighborhood Meeting Sign-In Sheet

EVENT:	Neighborhood Meeting
LOCATION:	White Church Elementary School Gymnasium
PROJECT:	Construction of New Lowell W. Brune Elementary School
DATE:	05-24-2018

Please include your name and address. Phone and email are optional.

NAME (Please Print)	ADDRESS	CONTACT (Email or Phone)
Meghen & Donnie Jones	3139 N. 84th Place	meghen@gmail.com
Honda & Kristi Tamaz	2306 N 88th St	hondatamaz@gmail.com
Randy & Linda George	9019 Haskell Ave.	RAgeorg@yahoo.com
Don & Susan Brown	8831 Waverly	
DERRAL & THERESA HENRY	8828 WASKEL	
Michael Sechler		michael.sechler@kckps
Biale Hu	8320 Haskell Ave	
Ryan & Cheyanne Harris		ryan.harris@gmail.com
Shannon McCombs	8910 Parallel	Shannon @ AGirlsNightOut Limo.com
K. Reddick	2015 N 95 St	



Lowell W. Brune Elementary School Neighborhood Meeting Sign-In Sheet

EVENT:	Neighborhood Meeting
LOCATION:	White Church Elementary School Gymnasium
PROJECT:	Construction of New Lowell W. Brune Elementary School
DATE:	05-24-2018

Please include your name and address. Phone and email are optional.

NAME (Please Print)	ADDRESS	CONTACT (Email or Phone)
Brian Hill	11821 W. 112 th St. Overland Park, KS	bhill@mkec.com
GREG NELSON	"	gnelson@mkec.com
Lynda Clark	9019 Haskell	
Janice McConnell	7650 Yecker Bethel Elem. Principal	janice.mcconnell@kckps.org
Jason Myler	8106 Spring Ave 66109	jmyler@ydrw.com
Mark Stubbolo	USD 500	mark.stubbolo@kckps.org
Patricia Buck	PO BOX 12563 KCK	folsambuck@hughes.net
Herta Folsom	PO BOX 12868 KCK	#SacredHeart@aol.com



Lowell W. Brune Elementary School
Neighborhood Meeting Sign-In Sheet

EVENT:	Neighborhood Meeting
LOCATION:	White Church Elementary School Gymnasium
PROJECT:	Construction of New Lowell W. Brune Elementary School
DATE:	05-24-2018

Please include your name and address. Phone and email are optional.

NAME (Please Print)	ADDRESS	CONTACT (Email or Phone)
Isaac Wright Jackie WRIGHT	9027 Haskell KC, KS 66109	913-526-9598
Garbow Karpis	9500 W. 110th St. Suite 150 OP KS 66210	715-863-9373
Britney Weiser	9300 W. 110th street Ste 150 Overland Park, KS 66210	913-663-5373

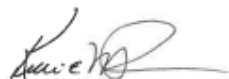
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now KELLI E. MATHER, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # PR-2018-18
2. That I conducted a neighborhood meeting on _____.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

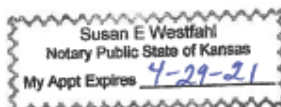


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24 day of May, 2018
My commission expires 29 of April, 2018



Notary Public





Lowell W. Brune Elementary School
Neighborhood Meeting Minutes

EVENT:	Neighborhood Meeting
LOCATION:	White Church Elementary School Gymnasium
PROJECT:	Construction of New Lowell W. Brune Elementary School
DATE:	05-24-2018

Meeting Attendees: See Attached Sign in List

Meeting Summary:

A Public neighborhood meeting was held on May 24th, 2018 in the White Church Elementary School Gymnasium. The meeting began at 6:30pm and concluded at 7:30 pm. The meeting was led by representatives of USD 500 including Dr. Kelli Mather, COO, Doug Clements, Director of Physical Properties, and Mark Stubbolo, Assistant Director of Physical Properties. Conducting the presentation was Gordon Kimble, HTK Architects and Brian Hill, MKEC Engineering, Inc.

Meeting Minutes:

Mark Stubbolo introduced the presenters, and thanked the attendees for their interest in the project. Gordon Kimble began the slide presentation by explaining the combining of White Church and Bethel Elementary Schools into a single new school, briefly describing the factors considered and decisions made in selecting the site on 91st Street, just north of Parallel Parkway. He also discussed the site analysis process and how the layout for building location, parking, and play areas were determined. Gordon then turned the presentation over to Brian Hill, who explained the traffic configuration for the site, with separate car and bus loop circulation and loading zone locations. Brian also talked about the factors of the current roadway in front of the site, which ultimately led to the selection of a roundabout at the entrance to the school, in order to provide a safe intersection with adequate sight distance, while still maintaining road access and viability to the existing homes on the west side of 91st Street. Brian then turned the presentation back to Gordon, who discussed the student safety aspects of the site layout and measures taken to define public and secure areas on the campus, as well as in the building. Gordon showed the proposed building plan, pointing out the public space and classroom space, which can be closed to the public space as needed for after school activities in the public areas. He concluded by showing renderings of the exterior of the building, pointing out various features, cladding materials, and articulation to add visual interest.

Following the presentation, the meeting was opened up to questions from those attending.

- Question: Derral Henry – Per your exhibit, there appears to be a soft spot in the security with the kitchen entry falling outside of the perimeter fence? Answer: Gordon Kimble – HTK will look into security at this location. We are concerned about keeping entry points for delivery personnel secure.
- Question: Derral Henry – How will students enter the property – by bus, car, walking? Answer: Doug Clements – Because of the location, all students will have the opportunity to be bussed, or they may be dropped off by car. There will be no sidewalk through the woods for safety and security purposes.



Lowell W. Brune Elementary School Neighborhood Meeting Minutes

- Question: Dwayne Wright – Are sidewalks being provided in front of the school. Will they go to Haskell Avenue? Answer: Gordon Kimble – The street improvements will include construction of sidewalk across the school frontage.
- Question: Dwayne Wright – How much of the woods is being preserved? Answer: Gordon Kimble – We are trying to keep as much as possible; there will be a buffer of trees on the north and east sides of the property. Most of the trees to the south and west of the building will be eliminated due to grading and to provide visibility. There will be shade trees planted across the frontage as part of the improvements, as well as along the south property line west of the building.
- Question: Don Brown – What type of fence is proposed and how tall will it be? Gordon Kimble – We normally use a black vinyl coated chain link fence that is either four or six feet tall depending on the location.
- Question: Don Brown – Where are the detention ponds located? What is the maximum runoff rate? Answer: Brian Hill – There will be four basins on site located in three areas. They will outflow into their natural drainage patterns to the southwest, northwest, and northeast. The requirement that we are meeting is to match or reduce the existing runoff rate of the undeveloped site. There will also be measures to provide stormwater quality treatment.
- Question: Don Brown – Will there be fencing around the detention ponds? Concern comes from the adjacent Assisted Living Facility detention pond that holds water for up to three days. Answer: Brian Hill – The detention facilities will be located outside of the fenced play areas. They are designed to be dry detention facilities and will not hold water for an extended period of time.
- Question: Randy George – Have we given consideration to the natural drainage to the north side of the property? He would like to see the natural drainage pattern remain. Also, will the treeline be left the way it currently is or will it be maintained? He would like to see the understory brush cleared. Answer: Brian Hill – We are aware of the natural drainage pattern and are taking measures to maintain the current pattern and flow rate of the drainage. We plan to keep the treeline along the north side. The district will look at tree preservation and maintenance of the forested areas.
- Question: Meghan Jones – Are we looking at Fall 2020 for the school to be open? Answer: Doug Clements – Yes.
- Question: Dwayne Wright – When will construction begin? Answer: Doug Clements – In the first part of 2019.
- Question: Jackie Wright – Why is the fenceline so far back, and will the sidewalks in front the schools be available for the the public to walk on? Answer: Gordon Kimble, Brian Hill, and Doug Clements – Intent is for the front area to be used by the public. Other schools have amenities such as community gardens, etc., and this may have similar elements.
- Question: Theresa Henry – Where did the name come from? Answer: Dr. Kelli Mather – Lowell Brune was a lifelong member of the community and was very much involved with both White Church Elementary and Bethel Elementary schools as a volunteer and education advocate.
- Question: Donnie Jones – Can any of the materials in the presentation and boards be left behind or available on-line? Answer: Doug Clements – We will put info on the District website under the Bond Referendum section. The boards will be left behind with White Church Elementary.
- This concludes the meeting minutes.

Page 2 of 2



May 29, 2018

Byron Toy
Unified Government
Planning/Engineering Division
Urban Planning and Land Use Dept.
701 North 7th Street, Room 423
Kansas City, Kansas 66101

Reference: Lowell W. Brune Elementary School (formally 91st Street Elementary) - PR-2018-18
8833 Waverly Avenue
Preliminary Development Plan Comment Responses

Dear Mr. Toy:

This letter is in response to Unified Government Staff Draft Report comments provided on May 22, 2018. The following are our responses:

Urban Planning and Land Use:

- 1) The landscape plan does not include a legend indicating quantity or species.
Response: Legend including quantities and species will be included with final development plan submittal once final landscaping has been determined. For additional landscaping added to southern property line, a revised Landscape Plan is included in this resubmittal.
- 2) One tree is required per 7,000 square feet of site area. Therefore 92 trees are required to be planted. This does not include street trees or parking lot islands. How many trees are included in the existing screening to the northwest and northwest of the proposed building?
Response: Over 92 trees currently exist, and will be preserved to meet this requirement.
- 3) All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.
Response: Rooftop mechanical equipment shall be located so it is typically not visible from the public right-of-way as confirmed by Rob Richardson previously. Rooftop equipment that is visible from the public right-of-way shall be screened by parapets or similar building elements. The Owner may, at their discretion, elect to provide equipment-mounted screens on RTU's which are otherwise not visible from the public right-of-way. Adjacent private property is not considered public right-of-way.
- 4) All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.
Response: Comment acknowledged; all items will be screened with landscaping.
- 5) All downspouts will be internalized.
Response: Typically downspouts will be internalized. There will be a few cases where proper building design renders this approach infeasible. In such cases, downspouts will be minimized visually and/or disguised by other building elements.
- 6) The parking lot islands shall not be hatched, instead they shall be curbed and landscaped.

11827 W. 112th St., Ste. 200 • Overland Park, KS 66210 • T 913.317.9390 • F 913.317.9385 • MKEC.COM

Response: The site plan proposes a 28' landscaped median located in the center of the parking lot. The large median will exceed parking lot landscape requirements, and is more conducive location for landscaping than curbed islands. Also, snow removal will be plowed over the west curb line of the parking lot. The striped islands better allow for snow removal. We propose the site plan to remain unchanged and is a better option aesthetically than adding additional smaller medians.

- 7) All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

Response: Comment acknowledged.

- 8) The trash enclosure doors shall be oriented towards the street. At the entrance into the site from the roundabout, the enclosure doors are in full view.

Response: The trash enclosure is currently outside of all fenced play areas and is located in close proximity to the kitchen. Relocating the trash enclosure east would result in a potential truck conflict with students at play areas. The proposed site plan currently provides a landscape buffer along the perimeter of the enclosure, and the drive approach to the enclosure. The trash enclosure will be approx. 20' higher in elevation relative to the R/W at N. 91st Street. In addition, the enclosure and doors will be made of materials consistent with the building. Due to the overall functionality of the site, and limited views from the street, we propose the enclosure location and orientation to remain unchanged.

- 9) A sidewalk shall be extended from Parallel Parkway to Georgia Avenue on 91st Street. This school is combining two schools in the area, White Church at 85th and Greely Avenue and Bethel Elementary School at 77th and Yecker.

Response: The District will be changing standard bussing policy for Lowell W. Brune Elementary and will be providing bus service for all students attending Brune Elementary. The School District will build sidewalk on District property across the 91st Street property frontage as shown on the preliminary development plans.

Public Works:

- A. Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.

Response: Preliminary Development Plans have been revised in response to UG engineering comments, and were resubmitted to the UG on May 22, 2018. A separate engineering comment response letter was included with the resubmittal on May 22, 2018.

- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Response: Comment acknowledged.

- B. Items that are conditions of approval (stipulations):

- 1) None

- C. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 1) None

All of the comments have been addressed. A revised set of plans have been electronically submitted along with this response letter, and supporting documents.

Lowell W. Brune Elementary School (PR-2018-18)
Preliminary Development Plans

May 29, 2018
Page 3

Please let me know if you have any questions.

Sincerely,

MKEC ENGINEERING, INC.



Greg Nelson, P.E.

CC: Gordon Kimble – HTK Architects
Mark Stubbolo – USD 500

91st Street Estimate (Option #1)

Assumptions/Comments:

91st Street: two lane section, 32' back to back, curb and gutter, similar to Donahoo Road from 115th to 123rd.

The linear foot cost includes everything it takes to build the road (grading, concrete, subgrade stabilization, curb, storm sewers, erosion control, etc...)

Proposed road is along the same profile as the existing road (this may not meet current design standards at some locations)

Minimal walls will be necessary

Minimal improvements to 91st and Georgia Avenue even though they are needed

No improvements to 91st/90th and Parallel Parkway even though they are needed

Estimates made for major boxes due to existing creeks and drainage patterns.

Does not include any utility relocation that may be necessary.

"Possible ROW/Easements" are a very rough estimate and may change due to necessary grading limits.

Without having detailed information on the corridor estimates are ballpark and are subject to change.

Estimate is in 2018 Dollars

Estimated Cost				
	Quantity	Units	Unit Price	Total
91st, Parallel to School Intersection	990	LF	\$ 850.00	\$ 841,500.00
Possible ROW /Easements/Relocations	1	L.S	\$ 400,000.00	\$ 400,000.00
91st St, School Intersection to Georgia Ave.	1550	LF	\$ 850.00	\$ 1,317,500.00
Major Storm Box	1	Ea.	\$ 250,000.00	\$ 250,000.00
Possible ROW/Easements/Relocations	1	L.S	\$ 500,000.00	\$ 500,000.00
91st St., Georgia Ave. to Leavenworth Rd.	2640	LF	\$ 850.00	\$ 2,244,000.00
Major Storm Box	1	Ea.	\$ 250,000.00	\$ 250,000.00
Possible ROW/Easements	1	L.S.	\$ 150,000.00	\$ 150,000.00
Waverly Ave, End thru School Property	1300	LF	\$ 850.00	\$ 1,105,000.00
School Intersection with 91st St.	1	LS	\$ 300,000.00	\$ 300,000.00
Georgia Intersection (minimal geometric)	1	LS	\$ 150,000.00	\$ 150,000.00
			Construction Subtotal:	\$ 7,508,000.00
Design (12% of Construction)	1	LS	\$ 900,960.00	\$ 900,960.00
Construction Inspection (15% of Construction)	1	LS	\$ 1,126,200.00	\$ 1,126,200.00
			Contingency (10%):	\$ 953,516.00
			Total Estimated Cost:	\$ 10,488,676.00

91st Street Estimate (Option #2)

Assumptions/Comments:

91st Street: two lane section, 32' back to back, curb and gutter, similar to Donahoo Road from 115th to 123rd.
The linear foot cost includes everything it takes to build the road (grading, concrete, subgrade stabilization, curb, storm sewers, erosion control, etc...)

Proposed road would alter profile to meet current design standards

Full property takings are not taken into consideration (would either need to take houses or build large retaining walls)

Major improvements to 91st and Georgia Avenue

Signal upgrades at 91st and Leavenworth Road

Improvements to 91st/90th and Parallel Parkway

Estimates made for major boxes due to existing creeks and drainage patterns.

Does not include any utility relocation that may be necessary.

"Possible ROW/Easements" are a very rough estimate and may change due to necessary grading limits.

Without having detailed information on the corridor estimates are ballpark and are subject to change

Estimate is in 2018 Dollars

Estimated Cost				
	Quantity	Units	Unit Price	Total
91st, Parallel to School Intersection	1100	LF	\$ 850.00	\$ 935,000.00
Possible ROW/ Easements/Relocations	1	L.S	\$ 400,000.00	\$ 400,000.00
91st and 90th Re-alignment	1	L.S	\$ 5,000,000.00	\$ 5,000,000.00
91st St, School Intersection to Georgia Ave.	1550	LF	\$ 850.00	\$ 1,317,500.00
Major Storm Box	1	Ea.	\$ 250,000.00	\$ 250,000.00
Possible ROW/Easements/Relocations	1	L.S	\$ 500,000.00	\$ 500,000.00
91st St., Georgia Ave. to Leavenworth Rd.	2640	LF	\$ 850.00	\$ 2,244,000.00
Major Storm Box	1	Ea.	\$ 250,000.00	\$ 250,000.00
Possible ROW/Easements	1	L.S.	\$ 150,000.00	\$ 150,000.00
Signal Improvements at 91st and Leavenworth	1	Ea.	\$ 300,000.00	\$ 300,000.00
Waverly Ave, End thru School Property	1300	LF	\$ 850.00	\$ 1,105,000.00
School Intersection with 91st St.	1	LS	\$ 300,000.00	\$ 300,000.00
Georgia Intersection (extensive geometric)	1	LS	\$ 5,000,000.00	\$ 5,000,000.00
			Construction Subtotal:	\$ 17,751,500.00
Design (12% of Construction)	1	LS	\$ 2,130,180.00	\$ 2,130,180.00
Construction Inspection (15% of Construction)	1	LS	\$ 2,662,725.00	\$ 2,662,725.00
			Contingency (10%):	\$ 2,254,440.50
			Total Estimated Cost:	\$ 24,798,845.50



Public Works Department Engineering Division

ONE McDOWELL PLAZA 701 NORTH 7TH STREET, 66101

(913) 573-5700
FAX (913) 573-5727

MEMORANDUM

TO: Martin Ntonjira
Project Engineer

FROM: Troy Shaw
County Engineer

DATE: August 1, 2018

SUBJECT: 91st Street Elementary School
PW Traffic Engineering Review

Existing Infrastructure Comments:

1. 91st Street from Parallel Parkway to Leavenworth Road is an unimproved road section approximately 20'-22' in width on positioned on hilly terrain. The current Pavement Condition Index (PCI) is a 49 which is classified as in marginal condition. To accommodate the increased vehicular traffic, including large vehicles such as busses and delivery trucks, 91st Street will need to be upgraded to current standards from Parallel Parkway to Georgia Avenue.
2. The intersection of 91st Street and Georgia Avenue currently sets on top of a hill with extremely steep slopes going East and West on Georgia Avenue. Due to the increased traffic the addition of a school will bring to this location, improvements will need to be made to this intersection. At a minimum, measures will need to be taken to improve sight distance at the corners.

Traffic Study Comments:

1. Typically, peak hour factors (PHFs) at intersections/periods associated with school traffic tend to be much lower than intersections that aren't. Please verify and provide documentation to show that the study intersections for existing plus school and future year scenarios have PHFs that are similar to the intersections and movements where the school counts were collected and not the same as the existing conditions near the proposed school site.
2. Please provide an estimate of parent pickup line queues expected for the afternoon period when students are being picked up after school using arrival and departure rates based on actual data or reasonable estimates. Please also provide a discussion of how the queuing analysis relates to actual queues observed at the existing schools identified in the study. It is important to design the site such that the pick-up line queue will be contained and not extend back into the public street intersection.

3. The study states that an eastbound left-turn lane and a westbound right-turn lane are warranted on Parallel Parkway at 91st. A high cost/benefit was mentioned as a reason not to install the turn lanes since the projected signal operation is LOS B. Although delays are one factor to consider when deciding when to install turn lanes, another primary factor is safety. The KDOT warrants were derived to indicate at what level of traffic the installation of a turn lane becomes advantageous based on factors such as operations and safety. Turn lanes should be installed if warranted. However, turn lane lengths less than what is presented in the desirable guidelines could be considered on the basis of existing constraints or other factors. The turn lane storage length should not be less than 150' plus taper and it is advisable to provide a length that equals the projected 95th% queue of the turning or through movement, whichever is larger.
4. The study considers a relatively small distribution of traffic to and from the north along 91st Street. Please provide additional discussion on what potential impacts would be expected if the actual traffic distribution is higher to the north and if there are any concerns with safety or operations, particularly at the intersection of Georgia and 91st Street.
5. Would a standard intersection option with stop sign control for the westbound movement that provides adequate sight distance be possible? (see comments 2 and 3 under General Comments and Considerations)

General Comments and Considerations:

1. After review and internal discussion of the roundabout option the UG does not feel this is the appropriate time to install a roundabout on 91st Street. Given the existing grades and the unimproved nature of 91st Street the installation of a roundabout at this time would put the UG in a corner if/when 91st Street was to be improved. We also do not feel that the unideal conditions related to road grades, driveways, and the major shifting of 91st street to squeeze the roundabout into an appropriate location is the right situation to install the first roundabout in Wyandotte County outside of a local residential street.
2. Traffic study/report mentions that intersection sight distance cannot be met for a standard 3-leg intersection with stop sign controlled on the proposed entrance. Question – Can those ISD calculations be provided? Was it assumed that the profile grade remained as existing, or flattened out?
3. The roundabout intersection option appears to be predicated on a roadway profile grade that exceeds local APWA maximum, and also does not provide pedestrian accommodations in the long term. If the intersection does not warrant a traffic signal, was providing flatter grades, larger crest vertical curve K value, and a 1-2'ft profile lowering considered? (Understanding that west driveway tie-ins limit the profile grade modifications)

Comments specific to the roundabout layout and plans

For your information below are comments on the submitted roundabout design. You do not need to address these since the roundabout option has been evaluated and found to be not the right solution for the UG on this road at this time.

1. Please provide the geometry files showing tangencies and radii of the roundabout intersection
2. In order to avoid future changes to the roundabout improvements, pedestrian movements for the full intersection are desired. This would include increasing the length of splitter islands and moving the crosswalks through the splitter islands to 25' beyond the inscribed circle.
3. Also, for better channelization on the downstream side of the crosswalks, recommend extending the splitter island noses.
4. Provide sight distance calculations for the entrances and driveways, horizontal and vertical
5. Current profile grade to north exceeds KC metro APWA for local collector. Recommend lowering the intersection to meet 8% maximum.
6. The two residential driveways adjacent to the roundabout will need to be combined into a single drive.
7. Are the car and bus's shown correctly on the plans as far as forecasted number of vehicles and distance required? Passenger vehicles appear close to backing in to the roundabout intersection. Also, the bus storage appears to overlap what looks to be head in parking in the eastern parking lot. Seems that those spaces would be used during AM/PM bus operations? Please clarify the usage for the bus lot, due to the impact the queue could present to the intersection.
8. Comment from information provided on 5/9/2018: Speed curves appear to have speeds that are over the maximums listed in the NCHRP report – and also appears to show speed differentials that are outside of the recommended differences.
9. Comment from information provided on 5/9/2018: Speed curves should be laid out using a spline curve or following the guidance in the Kansas Roundabout Guide, second edition (2014).

 X Troy Shaw

Reviewer:
Troy Shaw, P.E.
County Engineer

cc: Brent Thompson
Lideana Laboy



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #PR-2018-24, Preliminary and Final

GENERAL INFORMATION

Applicant:
Tim Conrad

Status of Applicant:
Representative
Piper USD 203

Requested Action:
Approval of a Preliminary
and Final Development
Plan

Date of Application:
July 27, 2018

Purpose:
To construct a new
elementary school for 3rd to
5th graders. The school will
eventually become a new
high school.

Property Location:
13021 Leavenworth Road



Existing Zoning: AG (WYCO) Agriculture District

Surrounding Zoning:

North:	R-1A (WYCO) Suburban Residential District, R-1 (WYCO) Single Family District, R (WYCO) Rural Residence, and AG (WYCO) Agriculture District
South:	AG (WYCO) Agriculture District and R-1 Single Family District
East:	R-1 Single Family District
West:	R-1A (WYCO) Suburban Residential District, R (WYCO) Rural Residence, and AG Agriculture District

Existing Uses:

North:	Single Family Houses
South:	Single Family Houses
East:	Single Family Houses
West:	Single Family Houses

Total Tract Size: 38.1 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as planned suburban residential district.

Major Street Plan: The City-Wide Master Plan designates Leavenworth Road as a major arterial street.

Advertisement: Property Owner Letters – August 15, 2018 and September 21, 2018
Wyandotte Echo – None Required

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tim Conrad with Piper USD 203, has applied for a preliminary plat (approved by City Planning Commission), preliminary development plan, and final development plan for a school complex at 13021 Leavenworth Road. The plan includes a new elementary school for 3rd to 5th graders. Additional planned phases include athletic fields and an expansion of the school to become a high school.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709 and Sections 27-1001 – 27-1419

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This is a suburban residential area. There are residential subdivisions to the east and north and larger suburban lots to the south and west.

2. *The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.*

A new elementary school, and ultimately new high school will increase traffic and parking demand that will affect road capacity and safety. Upgrades to the infrastructure will likely be necessary.

3. *The degree of conformance of the proposed use to the Master Plan.*

The Prairie Delaware Piper Plan emphasizes quality of design and ensuring that residential subdivisions and schools, parks and other community services function as cohesive neighborhoods with pedestrian and bicycle connections. In particular, the pedestrian transportation plan and bicycle transportation plan emphasize connections to schools. The current plan does not conform to the Prairie Delaware Piper Plan; see staff comments for more information.

Pedestrian Transportation Plan

The existing pedestrian system is not well developed in the study area. Sidewalks do not exist in a manner that connects traffic generators (neighborhoods) with traffic attractions (shopping/ schools). The objective of this plan will place greater importance on the development of continuous sidewalk facilities that connect land uses together.

Pedestrian Transportation Strategies:

- Connect key pedestrian corridors to schools, parks, recreational uses and activity centers (public facilities, commercial areas, etc.).
- Fill in gaps in the network where some sidewalks exist.
- Signalize pedestrian crossings.
- Create pedestrian corridors that connect neighborhoods.
- Improve streets having sidewalks on one side to two sides.
- As development occurs, construction of sidewalks shall also occur (by developers).
- Reconstruct all existing substandard sidewalks
- Construct sidewalks in existing neighborhoods without sidewalks.
- Utilize utility corridors when possible.

Bicycle Transportation Plan

Bicycle access is a component of the transportation system that has not been given significant attention in previous planning efforts. The bicycle plan component recommends bikeway improvements that close gaps in the existing bicycle network, as well as establish strategies for developing a more complete network of bicycle pathways throughout the community.

Bicycle Transportation Strategies:

- Identify and connect bicycle corridors to schools, parks, recreational uses and activity centers.
- Fill in gaps in the network where some segments of bikeway exist.
- Develop bicycle corridors that connect neighborhoods.
- Construct bike lanes with roadway improvement projects.
- Create bicycle corridors providing mobility to and within commercial areas.
- Connect regional attractions.
- Create multi-use paths with bicycle transportation function: Likely to be used for commuting, accessing transit, or traveling to a store, library, or other local destination. Bicycle/pedestrian sidewalks on bridges are included in this classification.
- Design includes physical separation from motor vehicle traffic by open space or barrier.
- Utilize utility corridors when possible.

All arterial and collector roads should have bike lanes. The bicycle plan will require incremental implementation. As development occurs, streets are rebuilt and other project funding opportunities (such as grant programs) arise, bicycle improvement projects should be integrated into project development.

4. The capability of the proposed use to meet applicable ordinance and other requirements.

The proposed use is capable of meeting applicable ordinance and other requirements.

5. Development of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

These are not foreseen to be an issue with the proposed use.

6. The extent to which utilities and public services are available and adequate to serve the proposed use.

a. Water service

Available

b. Sanitary sewer service

Development shall be served by sanitary sewer service

c. Storm water control

To be designed to meet city code.

d. Police

Police service provided by West Patrol District #224

e. Fire

Fire service provided by District #4.

f. Transit

There is no transit service in the area

g. Schools

Piper USD 203

7. Assurance that buildings, lots, blocks, parcels and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection, and to provide for long-term sustained real estate values.

This is not foreseen to be an issue with the proposed development.

8. Development patterns are designed with due regard to topography, so that the natural features of the land and vegetation shall be protected and enhanced.

This is not foreseen to be an issue.

9. Adequate sites are provided for schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

The development is a school. It is important to ensure that sidewalks and bicycle connections are provided in order to ensure that all neighborhoods have convenient access to the school.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on August 16, 2018. The meeting minutes, sign in sheet, and affidavit are attached.

KEY ISSUES

Pedestrian Connectivity

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Preliminary and Final Plan Review #PR-2018-24, subject to:

Urban Planning and Land Use Comments:

1. Provide a sidewalk on 131st Street along the entire length of the property.

Applicant Response: The exact nature of future development is not known at this time. We do not object to constructing a sidewalk along 131st Street, however, its construction needs to be incremental with the development of the street itself.

Staff Response: The developer is required to make street improvements along the entire property line concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

2. Provide an ADA sidewalk ramp at the intersection of 131st and Leavenworth Road.

Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

3. Provide bike lanes on Leavenworth and 131st Street. Both Leavenworth and 131st Streets are designated as arterials in the Prairie Delaware Piper Plan which states “All arterial and collector roads should have bike lanes. The bicycle plan will require incremental implementation. As development occurs, streets are rebuilt and other project funding opportunities (such as grant programs) arise, bicycle improvement projects should be integrated into project development.”

Applicant Response: Please confirm that your desire is for a bike lane approximately 4 feet wide, constructed as part of the Leavenworth Road widening. If this is your desire, we do not object but we believe the bike lane should be developed as part of the development agreement in item #2. In addition, we maintain that a bike lane on 131st Street should be constructed incrementally with the development of the street itself.

Staff Response: The Unified Government shall work with the applicant to include adequate bicycle facilities on Leavenworth Road and 131st Street when improvements occur. Any on-street bike lanes shall have a minimum width of 6 feet. Preferably on-street bike lanes shall be buffered and/or separated by a physical barrier such as pylons, bollards, jersey barriers, or planters. Other bike facilities such as on-street cycle tracks, off-street cycle tracks, and multi-use trails shall be considered. Sharrows shall not be considered an adequate bicycle facility. The preferred bike facility is a 12-foot off-street multi-use on the south side of Leavenworth Road and the east side of 131st Street.

4. A cul-de-sac may be necessary on Roswell Avenue. Additional conversation with staff may be necessary.

Applicant Response: We have no plans to construct a cul-de-sac and agree that additional conversation will be necessary if this is pursued.

Staff Response: Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicle is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turn around. Lot 31 of the Woodberry Ridge subdivision may also play a role in this solution.

5. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

Applicant Response: The continuous landscape divider between the staging drive and parking area has been utilized as an equivalent to the requested islands. This provides four advantages to individual islands: 1) Tree growth will be more robust and sustainable under the current plan, as the landscaping is less isolated and parched by surrounding pavement. 2) The current parking layout provides for more efficient and effective snow removal. 3) As viewed from the public ROW, the appearance of the site will be just as landscaped and may appear more densely covered. 4) Considering the lack of driving experience that many high school drivers have (expecting that this will eventually become a high school), it is sensible to reduce the number of islands in the parking area that could become obstacles, causing damage to cars and being costly to maintain. We request your acceptance of this solution as an equivalent solution.

Staff Response: Staff does not support this request. Applicant shall follow the commercial design guidelines and include one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

6. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Applicant Response: Our plans, as submitted, provide screening of the equipment using the same materials used for the exterior cladding of the building. We believe the current plans to be in compliance and intend to screen all rooftop units from public view as required.

Staff Response: It appears from the building elevations that mechanical equipment may not be screened from public view by the building parapets. Screening by the same materials used for the exterior cladding of the building is not adequate. If necessary, please revise plans to ensure that all mechanical equipment is completely screened from public view by the parapet.

7. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: We will comply with this requirement. We intend to use landscaped buffers at utility connections.

8. All downspouts will be internalized.

Applicant response: We will comply with this requirement.

9. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

Applicant Response: We will comply with this requirement.

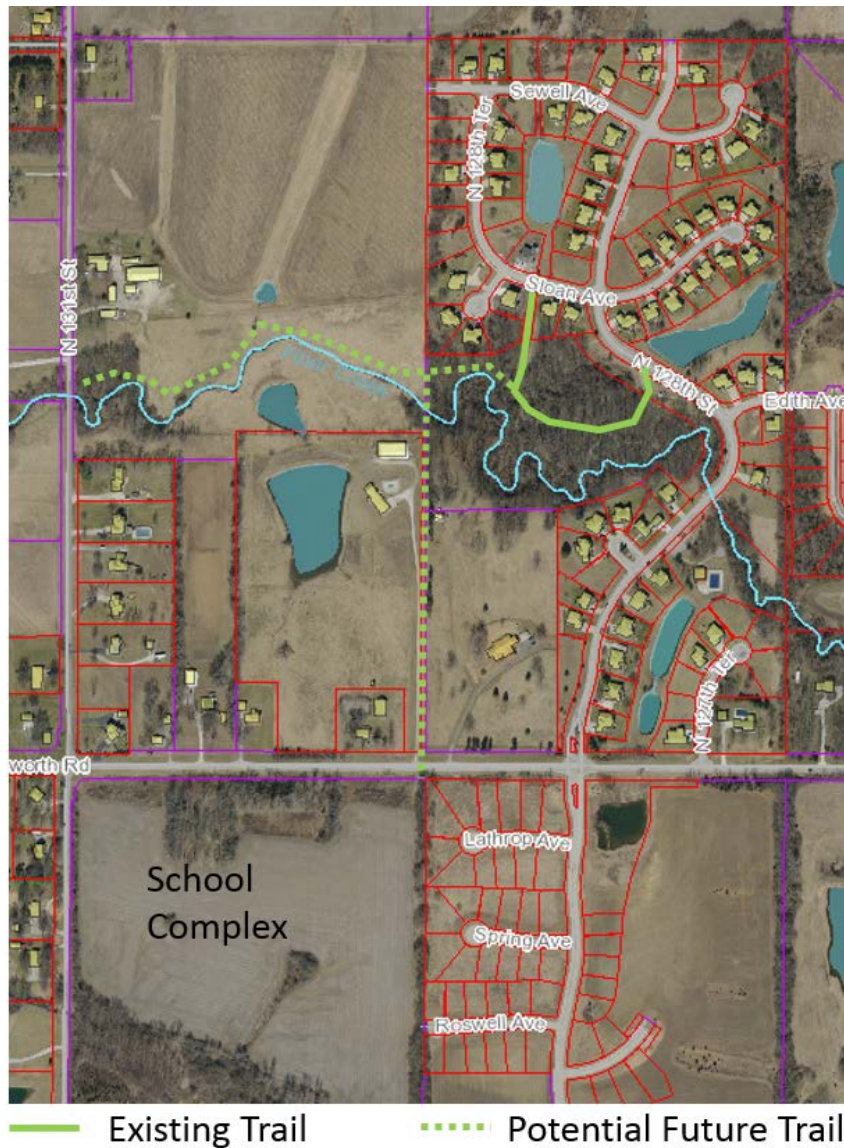
10. The trash enclosure doors shall not be oriented towards the street.

Applicant Response: Our plans currently comply with this requirement – the doors face south – and we do not have a roundabout on this plan.

11. Please state how both 131st Street and Leavenworth Road will be improved to meet City Code.

Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

12. Plans shall be consistent with a future midblock crossing that aligns with the existing north/south right-of-way near the northeast corner of the property, and a trail that connects to Piper Creek as shown in the diagram below:



13. The following are the current estimates of the costs related to the public improvements and funding responsibilities:

- a. Piper School current responsibility for the project:
 - i. provide a onetime payment of \$880,000 to Water Pollution Control.
 - ii. Pay for the design of the 131st intersection as well as the improvements along Leavenworth Road. The estimated consultant fee is approximately \$109,000.
- b. Piper School's responsibility for when High School builds out:
 - i. Improvements to 131st street south to the south line of their property. The cost fee is approximately \$1.6 million.
 - ii. When bond passes for the High School, Piper School District will pay \$500,000 towards the improvements of the intersection at 123rd and Leavenworth Road.
- c. UG responsibility for the current project: (this will be built at the time when the new school is being built)

- i. UG will bid the intersection and Leavenworth Road widening as a public project and cover the estimated cost of \$1.6 million.
- d. The sewer extension project funded by the Unified Government in the area has the following estimated cost:
 - i. Phase 1 = \$7.5 million
 - ii. Phase 2 = \$4 million
 - iii. Phase 3 = no costs have been developed as this is expected to be 20+ years out

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Engineering comments are listed as stipulations below.
- B) Items that are conditions of approval (stipulations):
 - 1) Public Improvement Plans shall be required with the conclusion of the development agreement between the Piper School District and the Unified Government Public Works department regarding public infrastructure related to the Piper School Complex i.e. Leavenworth Road improvements, storm crossing on 131st Street, and public sanitary sewer extension. Further discussion with staff is required.
 - 2) For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corp of Engineers and a permit if required shall be provided to Unified Government staff prior to construction permit acquisition.
 - 3) Sanitary sewer easement(s) in accordance with UG standards and criteria shall be required with the establishment of the final public sanitary sewer alignment.
 - 4) The County Surveyor makes separate technical review of the plat and submits comments directly to the preparer of the plat. Provide revised plat in accordance with County Surveyor comments.
 - 5) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

Staff recommends approval with the following stipulations:

- 1. Public Improvements

The following public improvements are required. The developer is required to make public improvements concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

a. Leavenworth Road

- i. Improve the South $\frac{1}{2}$ of Leavenworth Road to include a center turn lane and curbs from 131st Street to the eastern property line.
 - ii. Include a 12-foot-wide multi use trail on the south side of Leavenworth Road from 131st Street to 128th Street.
 - iii. Include a 5-foot sidewalk on the north side of Leavenworth Road from 131st street to 128th Street (if whole street is improved.)
 - iv. Plans shall be consistent with a future midblock crossing and trail connection to Piper Creek using the existing north/south ROW near the northeast corner of the site.
- b. 131st Street
 - i. Improve the East $\frac{1}{2}$ of 131st Street with curbs to the southern property line.
 - ii. Include a 12-foot-wide multi-use trail on the east side of 131st Street to the southern property line or the equivalent thereof.
 - iii. Include a 5-foot sidewalk on the west side of 131st Street.
- c. Leavenworth and 131st Street Intersection
 - i. Improve intersection to UG standards and include ADA sidewalk ramps.
- d. Roswell Avenue
 - i. Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicle is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turn around. Lot 31 of the Woodberry Ridge subdivision may also play a role in this solution.
- e. Storm Water and Sanitary Sewers
 - i. Storm water crossing on 131st Street shall be constructed to UG standards
 - ii. Public sanitary sewer extension shall be constructed to UG standards
- f. Wetlands
 - i. For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corp of Engineers and a permit if required shall be provided to Unified Government staff prior to construction permit acquisition.
- 2. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.
- 3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way. Screening by the same materials used for the exterior cladding of the building is not adequate. If the extension of the parapet is less than 6' they will need to do it and if it is 6' or more then the staff and the applicant can negotiate this issue. If this issue cannot be resolved, it will come back before the City Planning Commission meeting.
- 4. All downspouts will be internalized.

5. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors. Staff and applicant will resolve the lighting requirement.
6. The trash enclosure doors shall not be oriented towards the street.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #PR-2018-24 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Site Plan
Landscape Plan
Neighborhood Meeting Minutes
Elevations Submitted by Applicant at Meeting

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing		
Preliminary Plan		
Final Plan	September 10, 2018	September 27, 2018
	Approval	
Preliminary Plat	September 10, 2018	TBD
	Approved	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2018-24 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;

2. _____; And

3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**PR-2018-24** as it is not in compliance with the City Ordinances and as it will not promote the health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 1:44:55:

PIPER SCHOOLS COMPLEX – SYNOPSIS: Preliminary Plat for a new elementary school at 13021 Leavenworth Road.

PLAN REVIEW APPLICATION #PR-2018-24 – TIM CONRAD WITH PIPER UNIFIED SCHOOL DISTRICT #203 – SYNOPSIS: Preliminary and Final Plan Review for an elementary school with parking and play areas to eventually become a high school at 13021 Leavenworth Road.

Detailed Outline of Requested Action: The applicant, Tim Conrad with Piper USD 203, has applied for a preliminary plat, preliminary development plan, and final development plan for a school complex at 13021 Leavenworth Road. The plan includes a new elementary school for 3rd to 5th graders. Additional planned phases include athletic fields and an expansion of the school to become a high school.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and
6. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Huey recused herself at 8:16 p.m. and Vice Chairman Carson assumed the Chairmanship.

Present in Support:

- ❖ John Glessner, architect, DLR Group, 7290 West 133rd Street, Overland Park, KS 66213
- ❖ Dustin Burton, civil engineer, Renaissance Infrastructure Consulting

NOTE: During the presentation the Planning Commission and staff asked questions of the applicant's representative as he addressed comments in the staff recommendation.

Present in Opposition:

❖ No one appeared

Staff Recommendation starts at 2:10:20: Planning Director Richardson stated that he would like to address the four issues.

1. Public Works Comments/Requirements – The comments in the staff report as far as the improvements being required, that is what is required to meet the subdivision code. How those improvements get paid for is not being addressed tonight. The improvements in the staff report were put there so the Commission would know the Unified Government's contribution to this project which is significant. However, the request to remove those conditions from the stipulations is an issue for the Commission. Director Richardson explained that one-half street improvements and other improvements are required and stated that he would request that the requirements remain in the stipulations. They are free to negotiate how those improvements are paid for with the Board of Commissioners at a later date.
2. Roswell – They purchased a piece of property that the city anticipated the road going through. There is a temporary cul-de-sac and when the adjoining property is developed that cul-de-sac needs to be removed. Hammerheads were approved in the subdivision just north of Sam's Club; when the original TND was approved there were a couple of through streets that did not have cul-de-sacs that were not going to go through because of the nature of the development so the developer was going to put in hammerheads so a fire truck could turnaround and not be in a back-up situation. The requirement would be for the applicant to work with the staff to provide access for fire emergency vehicles to turn around. Half of a temporary cul-de-sac has been removed and when the streets are planned to go through and they don't then the new developer needs to finish that project.
3. Decorative Lighting – Pack lights are used on commercial developments. They can submit to staff what they are going to do and staff can say yes or no at that level. The staff is not asking for fancy lights but also does not want the low end of the scale as was being described.
4. Parapets – He stated that this issue will be revisited at a later time when staff can get perspectives along Leavenworth Road and 131st Street when the real issue is determined. The Commission is aware that USD 500 has provided elevations along the street so staff can see what is happening as you go down the street. Staff will work with them and give the information/facts to the Planning Commission at final plan review and allow that determination to be made at that time.

The staff recommends approval subject to the stipulations in the staff report.

Questions were directed to the staff to clarify the stipulations.

Mr. Glessner stated that in talking with Mr. Conrad, applicant who could not be present this evening, he cannot accept the cul-de-sac or hammerhead on their property. They have been working with staff for over one year and today is the first that they have heard about this and they have not had time to negotiate this issue. Director Richardson stated that this is not just coming up today; it was discussed at the Development Review Committee meeting and it was in the "draft staff report" (which is sent out three weeks prior to the City Planning Commission.) Chairman Carson stated that this may be an issue that is negotiated later.

Motion and Vote starts at 2:23:30:

On motion by Dr. Serda, seconded by Mr. Reasons, the Planning Commission voted as follows to **APPROVE Piper Schools Complex Preliminary Plat:**

Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Not Present
Pauley	Not Present
Motion to APPROVE Passed: 7 to 0	
Subject to:	

Urban Planning and Land Use Comments:

1. Provide a sidewalk on 131st Street along the entire length of the property.

Applicant Response: The exact nature of future development is not known at this time. We do not object to constructing a sidewalk along 131st Street, however, its construction needs to be incremental with the development of the street itself.

Staff Response: The developer is required to make street improvements along the entire property line concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

2. Provide an ADA sidewalk ramp at the intersection of 131st and Leavenworth Road.

Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is

being worked through with Public Works.

3. Provide bike lanes on Leavenworth and 131st Street. Both Leavenworth and 131st Streets are designated as arterials in the Prairie Delaware Piper Plan which states “All arterial and collector roads should have bike lanes. The bicycle plan will require incremental implementation. As development occurs, streets are rebuilt and other project funding opportunities (such as grant programs) arise, bicycle improvement projects should be integrated into project development.”

Applicant Response: Please confirm that your desire is for a bike lane approximately 4 feet wide, constructed as part of the Leavenworth Road widening. If this is your desire, we do not object but we believe the bike lane should be developed as part of the development agreement in item #2. In addition, we maintain that a bike lane on 131st Street should be constructed incrementally with the development of the street itself.

Staff Response: The Unified Government shall work with the applicant to include adequate bicycle facilities on Leavenworth Road and 131st Street when improvements occur. Any on-street bike lanes shall have a minimum width of 6 feet. Preferably on-street bike lanes shall be buffered and/or separated by a physical barrier such as pylons, bollards, jersey barriers, or planters. Other bike facilities such as on-street cycle tracks, off-street cycle tracks, and multi-use trails shall be considered. Sharrows shall not be considered an adequate bicycle facility. The preferred bike facility is a 12-foot off-street multi-use on the south side of Leavenworth Road and the east side of 131st Street.

4. A cul-de-sac may be necessary on Roswell Avenue. Additional conversation with staff may be necessary.

Applicant Response: We have no plans to construct a cul-de-sac and agree that additional conversation will be necessary if this is pursued.

Staff Response: Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicle is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turn around. Lot 31 of the Woodberry Ridge subdivision may also play a role in this solution.

5. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

Applicant Response: The continuous landscape divider between the staging drive and parking area has been utilized as an equivalent to the requested islands. This provides four advantages to individual islands: 1) Tree growth will be more robust and sustainable under the current plan, as the landscaping is less isolated and parched by surrounding pavement. 2) The current parking layout provides for more efficient and effective snow

removal. 3) As viewed from the public ROW, the appearance of the site will be just as landscaped and may appear more densely covered. 4) Considering the lack of driving experience that many high school drivers have (expecting that this will eventually become a high school), it is sensible to reduce the number of islands in the parking area that could become obstacles, causing damage to cars and being costly to maintain. We request your acceptance of this solution as an equivalent solution.

Staff Response: Staff does not support this request. Applicant shall follow the commercial design guidelines and include one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

6. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Applicant Response: Our plans, as submitted, provide screening of the equipment using the same materials used for the exterior cladding of the building. We believe the current plans to be in compliance and intend to screen all rooftop units from public view as required.

Staff Response: It appears from the building elevations that mechanical equipment may not be screened from public view by the building parapets. Screening by the same materials used for the exterior cladding of the building is not adequate. If necessary, please revise plans to ensure that all mechanical equipment is completely screened from public view by the parapet.

7. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: We will comply with this requirement. We intend to use landscaped buffers at utility connections.

8. All downspouts will be internalized.

Applicant response: We will comply with this requirement.

9. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

Applicant Response: We will comply with this requirement.

10. The trash enclosure doors shall not be oriented towards the street.

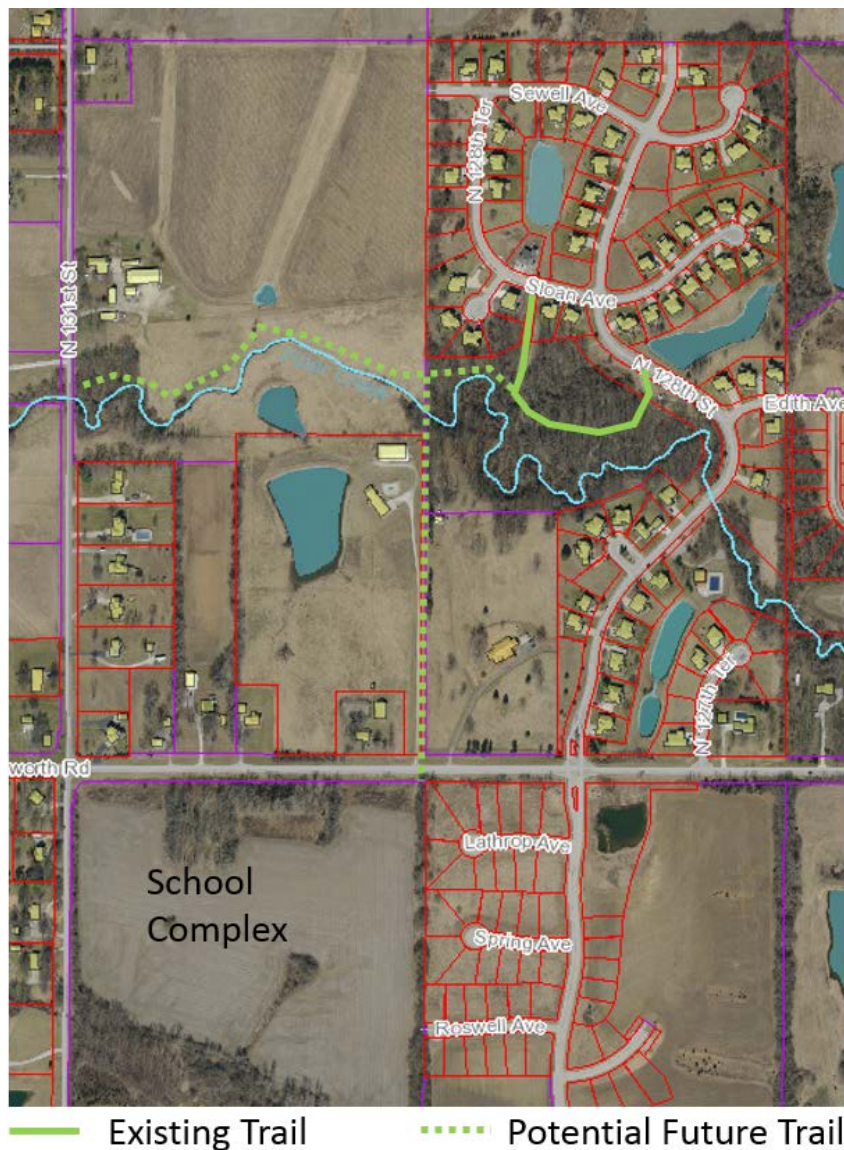
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the doors face south – and we do not have a roundabout on this plan.

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Applicant Response: Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

12. Plans shall be consistent with a future midblock crossing that aligns with the existing north/south right-of-way near the northeast corner of the property, and a trail that connects to Piper Creek as shown in the diagram below:



- 13. The following are the current estimates of the costs related to the public improvements and funding responsibilities:**
- a. Piper School current responsibility for the project:**
 - i. provide a onetime payment of \$880,000 to Water Pollution Control.**
 - ii. Pay for the design of the 131st intersection as well as the improvements along Leavenworth Road. The estimated consultant fee is approximately \$109,000.**
 - b. Piper School's responsibility for when High School builds out:**
 - i. Improvements to 131st street south to the south line of their property. The cost fee is approximately \$1.6 million.**
 - ii. When bond passes for the High School, Piper School District will pay \$500,000 towards the improvements of the intersection at 123rd and Leavenworth Road.**
 - c. UG responsibility for the current project: (this will be built at the time when the new school is being built)**
 - i. UG will bid the intersection and Leavenworth Road widening as a public project and cover the estimated cost of \$1.6 million.**
 - d. The sewer extension project funded by the Unified Government in the area has the following estimated cost:**
 - i. Phase 1 = \$7.5 million**
 - ii. Phase 2 = \$4 million**
 - iii. Phase 3 = no costs have been developed as this is expected to be 20+ years out**

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:**
 - 1) Engineering comments are listed as stipulations below.**
- B) Items that are conditions of approval (stipulations):**
 - 1) Public Improvement Plans shall be required with the conclusion of the development agreement between the Piper School District and the Unified Government Public Works department regarding public infrastructure related to the Piper School Complex i.e. Leavenworth Road improvements, storm crossing on 131st Street, and public sanitary sewer extension. Further discussion with staff is required.**
 - 2) For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corp of Engineers and a permit if required shall be provided to Unified Government staff prior to construction permit acquisition.**
 - 3) Sanitary sewer easement(s) in accordance with UG standards and criteria shall be required with the establishment of the final public sanitary sewer alignment.**
 - 4) The County Surveyor makes separate technical review of the plat and submits comments directly to the preparer of the plat. Provide revised plat in accordance with County Surveyor comments.**

- 5) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

Staff recommends approval with the following stipulations:

1. Public Improvements

The following public improvements are required. The developer is required to make public improvements concurrently with development. Any improvements not constructed at this time will be required when the school is expanded to become a high school.

a. Leavenworth Road

- i. Improve the South ½ of Leavenworth Road to include a center turn lane and curbs from 131st Street to the eastern property line.
- ii. Include a 12-foot-wide multi use trail on the south side of Leavenworth Road from 131st Street to 128th Street.
- iii. Include a 5-foot sidewalk on the north side of Leavenworth Road from 131st street to 128th Street (if whole street is improved.)
- iv. Plans shall be consistent with a future midblock crossing and trail connection to Piper Creek using the existing north/south ROW near the northeast corner of the site.

b. 131st Street

- i. Improve the East ½ of 131st Street with curbs to the southern property line.
- ii. Include a 12-foot-wide multi-use trail on the east side of 131st Street to the southern property line or the equivalent thereof.
- iii. Include a 5-foot sidewalk on the west side of 131st Street.

c. Leavenworth and 131st Street Intersection

- i. Improve intersection to UG standards and include ADA sidewalk ramps.

d. Roswell Avenue

- i. Applicant shall continue to work with the Unified Government to ensure that an adequate solution for the maneuverability of emergency vehicle is reached at the end of Roswell Avenue. This could include a cul-de-sac or hammerhead turn around. Lot 31 of the Woodberry Ridge subdivision may also play a role in this solution.

e. Storm Water and Sanitary Sewers

- i. Storm water crossing on 131st Street shall be constructed to UG standards
- ii. Public sanitary sewer extension shall be constructed to UG standards

f. Wetlands

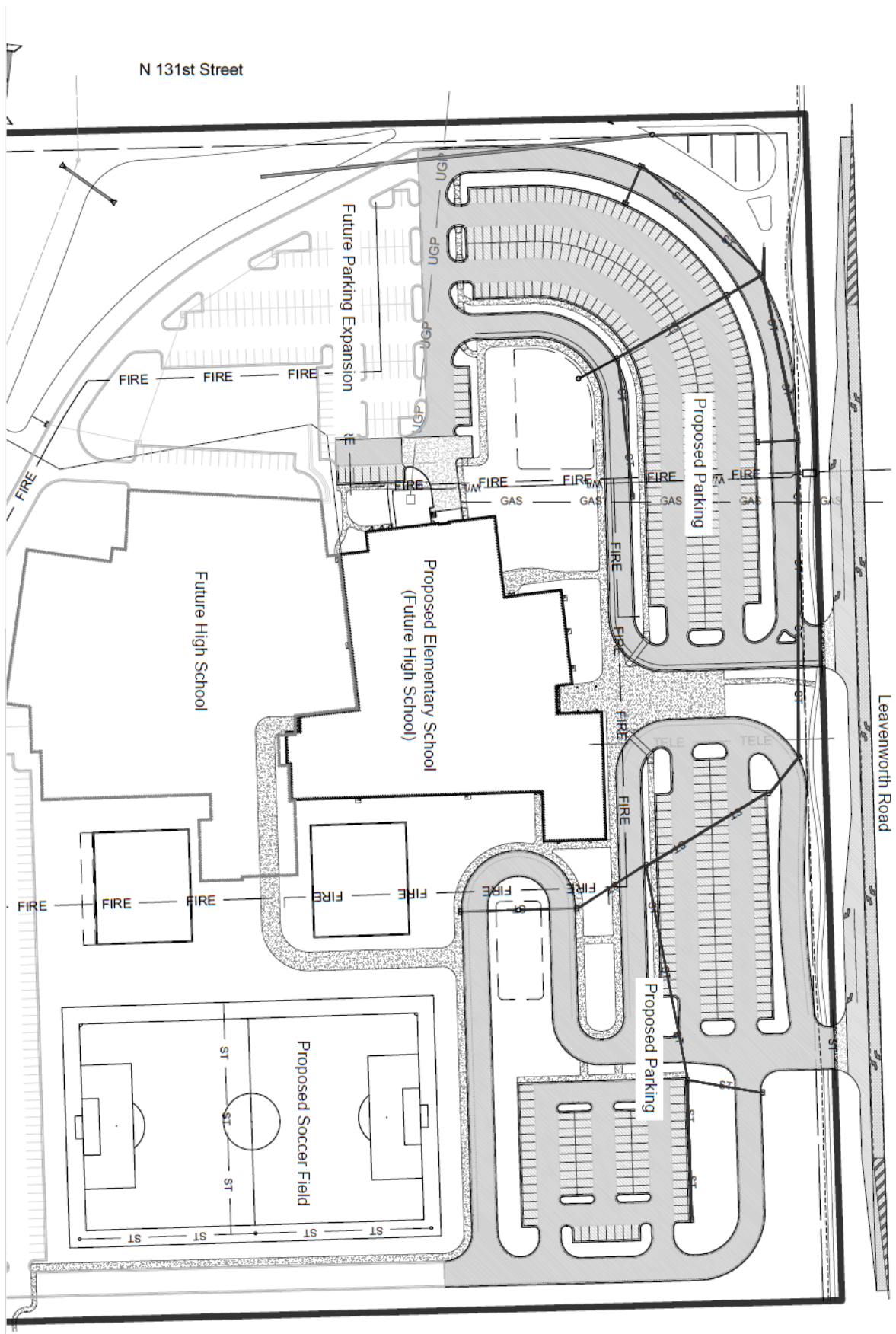
- i. For the wetlands within the creek on the school property, a jurisdictional determination shall be made by the U.S Army Corp of Engineers and a permit if required shall be provided to Unified Government staff prior to construction permit acquisition.**
- 2. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.**
- 3. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way. Screening by the same materials used for the exterior cladding of the building is not adequate. If the extension of the parapet is less than 6' they will need to do it and if it is 6' or more then the staff and the applicant can negotiate this issue. If this issue cannot be resolved, it will come back before the City Planning Commission meeting.**
- 4. All downspouts will be internalized.**
- 5. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors. Staff and applicant will resolve the lighting requirement.**
- 6. The trash enclosure doors shall not be oriented towards the street.**

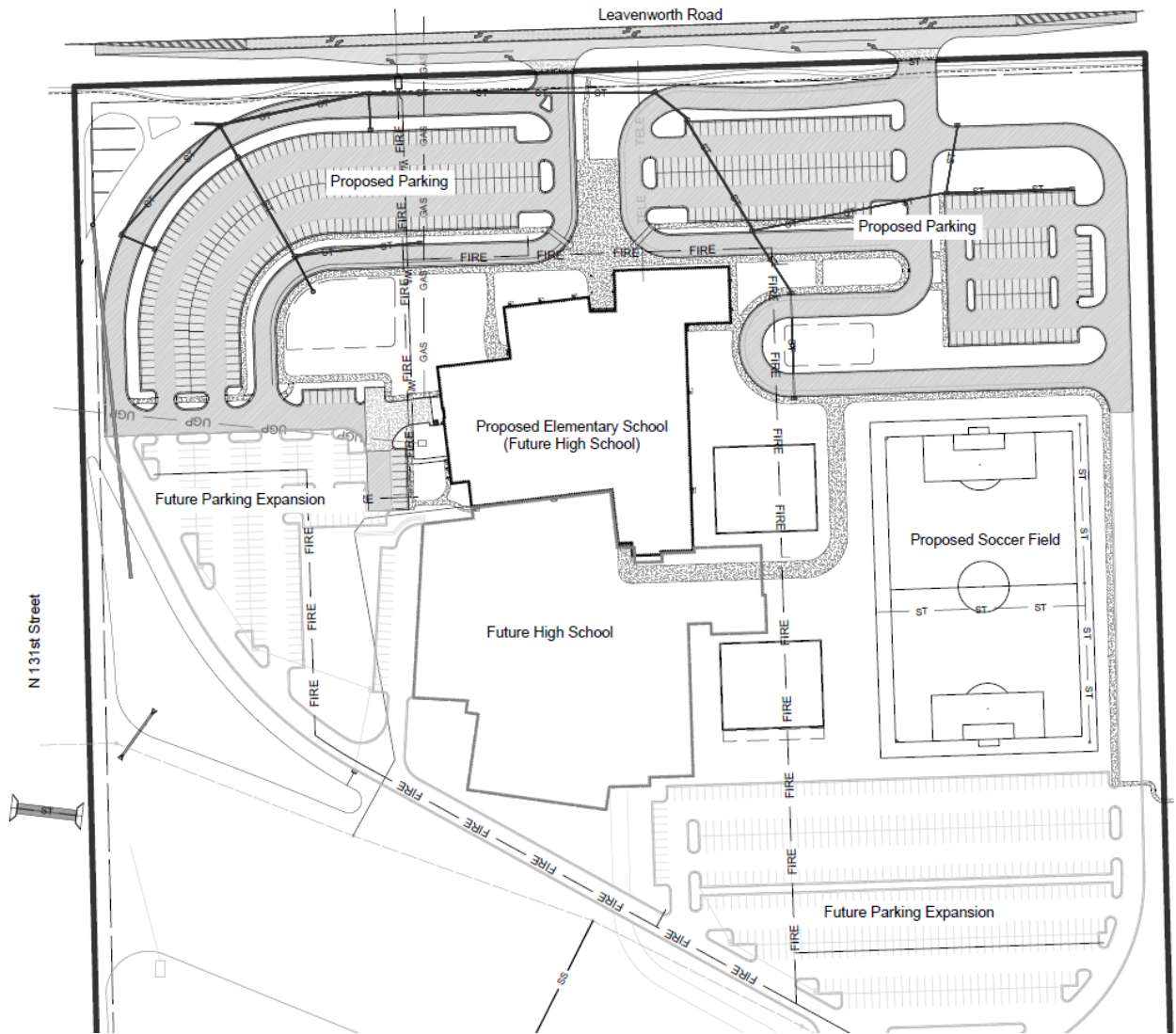
On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to recommend **APPROVAL of Preliminary and Final Plan Review #PR-2018-24:**

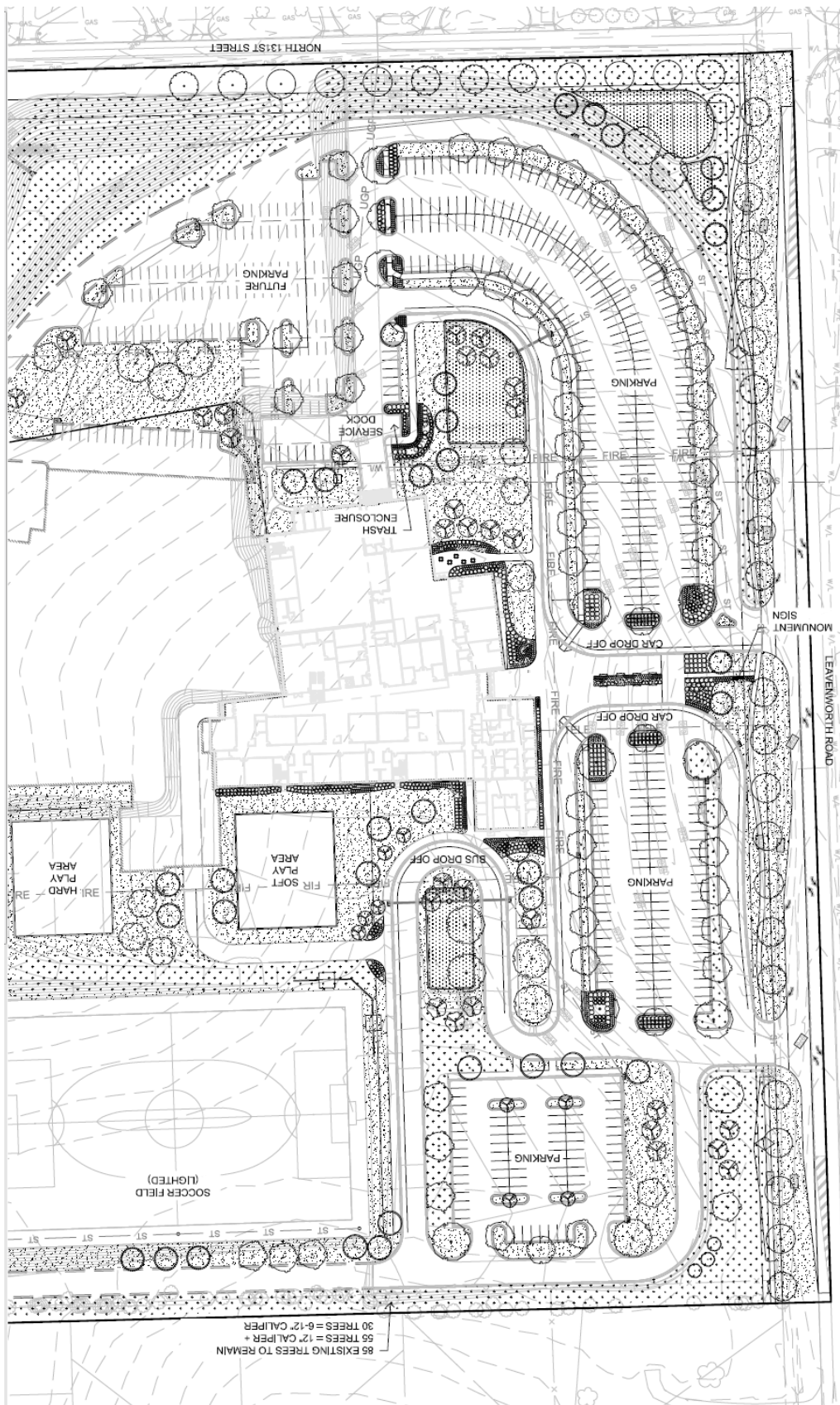
Carson	Chairman
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Not Present
Pauley	Not Present

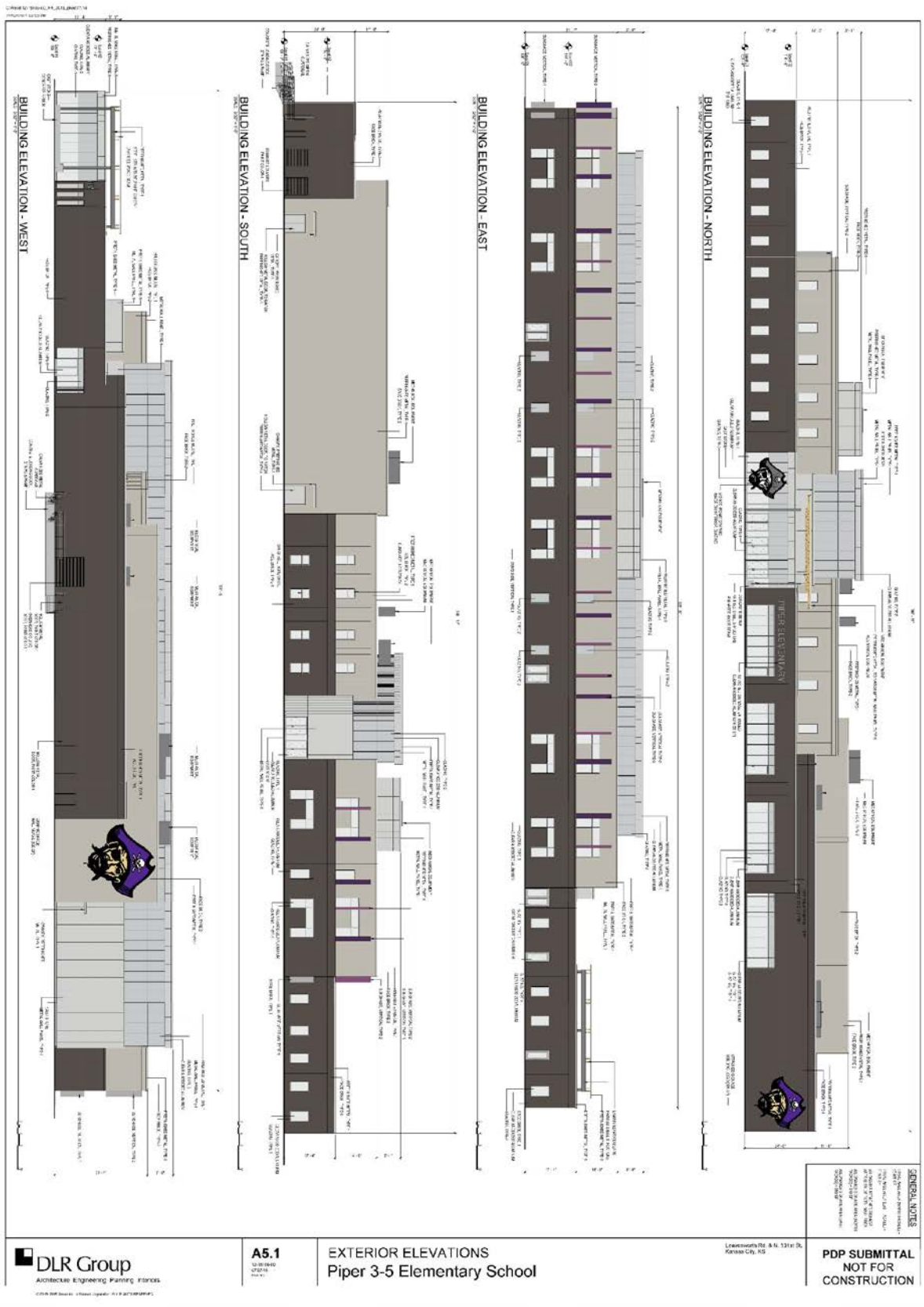
Motion to RECOMMEND APPROVAL Passed: 7 to 0
Subject to the above comments

Chairman Huey rejoined the Commission at 8:57











Architecture Engineering Planning Interiors

7290 West 133rd Street
Overland Park, KS 66213

August 27, 2018

Urban Planning and Land Use Annex
Att'n: Janet Parker
4953 State Avenue
Kansas City, KS 66102

Re: Piper 3-5 Elementary School
PR-2018-24 Preliminary Plat of Piper School Complex and Petition
Response to City Staff Comments for Public Hearing on September 10, 2018

Dear Ms. Parker,

DLR Group hereby submits the following response to the draft comments received from your office via email on August 20.

1. Provide a sidewalk on 131st Street along the entire length of the property.

The exact nature of future development is not known at this time. We do not object to constructing a sidewalk along 131st Street, however, its construction needs to be incremental with the development of the street itself.

2. Provide an ADA sidewalk ramp at the intersection of 131st and Leavenworth Road.

Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

3. Provide bike lanes on Leavenworth and 131st Street. Both Leavenworth and 131st Streets are designated as arterials in the Prairie Delaware Piper Plan which states "All arterial and collector roads should have bike lanes. The bicycle plan will require incremental implementation. As development occurs, streets are rebuilt and other project funding opportunities (such as grant programs) arise, bicycle improvement projects should be integrated into project development."

Please confirm that your desire is for a bike lane approximately 4 feet wide, constructed as part of the Leavenworth Road widening. If this is your desire, we do not object but we believe the bike lane should be developed as part of the development agreement in item #2. In addition, we maintain that a bike lane on 131st Street should be constructed incrementally with the development of the street itself.

Kansas City and locations worldwide

4. A cul-de-sac may be necessary on Roswell Avenue. Additional conversation with staff may be necessary.

We have no plans to construct a cul-de-sac and agree that additional conversation will be necessary if this is pursued.

5. Provide one landscaped island the size of a parking space within the parking lot for every 20 parking spaces in a row.

The continuous landscape divider between the staging drive and parking area has been utilized as an equivalent to the requested islands. This provides four advantages to individual islands: 1) Tree growth will be more robust and sustainable under the current plan, as the landscaping is less isolated and parched by surrounding pavement. 2) The current parking layout provides for more efficient and effective snow removal. 3) As viewed from the public ROW, the appearance of the site will be just as landscaped and may appear more densely covered. 4) Considering the lack of driving experience that many high school drivers have (expecting that this will eventually become a high school), it is sensible to reduce the number of islands in the parking area that could become obstacles, causing damage to cars and being costly to maintain. We request your acceptance of this solution as an equivalent solution.

6. All rooftop mechanical equipment shall be screened from public view by the parapet. The public view extends to the boundary of the property line and public right-of-way.

Our plans, as submitted, provide screening of the equipment using the same materials used for the exterior cladding of the building. We believe the current plans to be in compliance and intend to screen all rooftop units from public view as required.

7. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

We will comply with this requirement. We intend to use landscaped buffers at utility connections.

8. All downspouts will be internalized.

We will comply with this requirement.

9. All lighting, whether mounted on the wall or installed in the parking lot shall have 90-degree cutoff fixtures. Light fixtures mounted on the wall shall be decorative, including those above egress doors.

We will comply with this requirement.

10. The trash enclosure doors shall not be oriented towards the street. At the entrance into the site from the roundabout, the enclosure doors are in full view.

Our plans currently comply with this requirement – the doors face south – and we do not have a roundabout on this plan.

11. Please state how both 131st Street and Leavenworth Road will be improved to meet City Code.

Unified Government and Piper USD 203 are working to create a development agreement that will cover all the public infrastructures (sanitary, road improvements and storm crossing on 131st) for the project. Unified Government representatives have asked that the public infrastructure approval process be noted as a stipulation that is being worked through with Public Works.

Separate from the comments received, please accept the attached drawings, which have been updated to reflect a small revision to the overall building plan in the dock and northeast corner of the building.

Sincerely,
DLR Group



John Glessner
Senior Architect

cc: Tim Conrad, Piper USD 203



AFFIDAVIT, PROPERTY OWNER CONSENT FORM

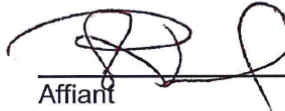
STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now TIM CONRAD, of lawful age, sound mind and upon
(property owner)

his/her oath states as follows:

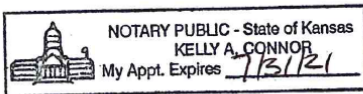
1. That I am the property owner of 13021 LEAVENWORTH RD in Kansas City,
Kansas. (Address)
2. That I have reviewed the application for TIM CONRAD to
(Applicant)
operate/develop construction of school on my
(Proposed use)
property.
3. That after discussing the matter and fully reviewing the application, I authorize this
application and subsequent applications necessary to accomplish the plan/use noted
above, to be filed on my behalf.

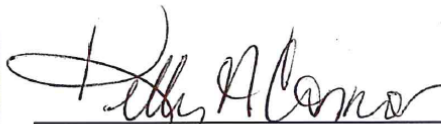
Further affiant saith not.



Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 22 day of Aug, 2018.
My commission expires July of 31, 2021.





Notary Public

Meeting Minutes



Architecture Engineering Planning Interiors

7290 West 133rd Street
Overland Park, KS 66213

o: 913/897-7811
f: 913/897-8333

Meeting Date August 16, 2018, 6:37 p.m. – 8:00 pm

To Byron Toy

From John Glessner, DLR Group

Location Piper West Elementary School, 3131 N 122nd St, Kansas City, KS 66109

Project Piper 3-5 Elementary School

Project No. 12-18109-00

Attendees Tim Conrad, Superintendent, Piper School District #203
Neal Palmer, Member, Piper USD #203 Board of Education
John Glessner, Architect, DLR Group
Pat Kost, Architect, DLR Group
Jackie Kolpeck, Landscape Architect, DLR Group
Dustin Burton, Civil Engineer, Renaissance Infrastructure Consulting
Eric Floyd, Preconstruction Manager, JE Dunn Construction
Public attendance: see attached attendance list

Subject Community Outreach meeting for Piper 3-5 Elementary School



Minutes Tim Conrad gave an overview of the District's need for the project and its overall viewpoint.

- The District is growing and needs capacity in this new school. Over 150 new students in the District since start of Spring 2018 semester.
- This will start as a 3rd, 4th and 5th grade center, then expand into a high school if and when future needs call for it.
- We are getting all property development approved now, but will only build the elementary school portion now.
 - There will be a future bond issue for construction of the high school addition, if need is approved by BOE and voted affirmatively.
 - That makes this a unique project; it's designed with the end in mind
- The school's design is efficient and effective. Trying keep as much of current construction intact and not destruct parts of the school in order to add the high school addition.
- This solution is very unique and solves the District's need.
- District growth:

- Ten years ago (last time Piper constructed), there was one 150-student grade level.
- Today, there are two 140-student grade levels, most others in the 170-190 student range, and two over 200-students.

John Glessner gave a general overview of the project and introduced the rest of his team.

- DLR Group is the architecture firm that is assisting the District to plan and implement the project.
- General explanation of the project as shown on seven presentation boards (site plan, 2 floor plans, 2 exterior views, 2 interior views). The building has a brick exterior. The main "Educational Commons" is a 2-story space that will bring people together. The building is larger than a typical elementary school because it contains certain elements of a high school, such as a high school-sized Auxiliary Gym, which also serves as a storm shelter, and additional Administrative space.
- Future development represents the typical elements of a high school athletic complex: football, soccer, baseball, softball, tennis, and locker rooms/concessions/restrooms to accommodate all. Parking to accommodate the expected attendance. Fields will be lit and have speaker systems to do announcements.
- We are only developing the detention pond and components for the elementary school, including, two play areas, and a soccer/play field.

Dustin Burton and Jackie Kolpeck explained the site development.

- About 20 acres of land will be disturbed to construct the project now (not developing the whole property).
- There are two parking lots with dropoff loops, and a bus loop.
- There are 441 parking spaces.
- Leavenworth road will be widened to provide left- and right-turn lanes. Staging space on the drives for over 100 cars. Designed so that traffic will not back up on Leavenworth Road.
- Hard and soft play areas will be constructed for the students.
- Trees will be added on site and along the public streets. Jackie provided a general description of the landscaping on site.

Questions:

(Note: the majority of questions related to: concerns about runoff and flooding on 131st Street (it floods now), widening of 131st Street, placement and cost of the new sewer line, and requirements/costs for homeowners to tie to it)

Q: will you widen 131st Street?

A: Not with this project. Eventually it will, as determined by Unified Government. 20-year development projection indicates a 3-lane road; UG calls for 100 foot ROW. The current ROW is 40 feet. We are reserving 30 feet of ROW on the District property now, in anticipation of that future need (Dustin).

DLR Group
Overland Park, Kansas
o: 913/897-7811 f: 913/897-8333

Q: What improvements will be made to stormwater runoff?

A: Current runoff from storms at north end of site tends to drain toward the intersection and 131st street. New detention pond will handle runoff for the fully developed site and release the overburden gradually over a 12-24 hour period. The existing culvert under 131st Street is too small so it will be enlarged to ensure that runoff doesn't spill over the street. (Dustin)

Q: What is the time horizon to expand to a high school?

A: Ideally after the current bond issue is paid off in 2028. We could pay that off a year early, in 2027. This is in line with where we predict enrollment will be and require the new high school.

This school is designed for 700. When full, we can reconfigure/expand to build Phase II. The key is that there should be no mil increase necessary to achieve this. Having said that, what a high school is will change in 10 years. For example, seniors may be working remotely and not need to attend class daily. We just don't know where the trend will be, so this project is appropriate; we are not overbuilding and can react appropriately to trends at that time. (Tim)

Q: Will the hill on 131st Street be re-graded now?

A: No; that will be resolved in the future. (Dustin)

Q: What sort of buffer will be designed between my property (home owner east of 131st street adjacent to school district's property) and the development on the school's property? (individual was indicating sports field's & supporting parking)

A: The site will not currently be disturbed adjacent to your property as the sports fields & parking will be developed in a future project. Typically, a planting buffer of overstory and evergreen trees would be provided (Jackie). Future buffering will comply with the UG's landscaping & site buffering requirements (Dustin).

Q: Will there be a benefit district as part of the sewer line connection and expansion?

A: No, a benefit district will not be implemented as part of this project.

Q: What types of plantings will occur along 131st Street?

A: For the existing trees along 131st Street, trees 6" caliper and larger will remain where possible. Street trees will be provided at 40' on center. Trees throughout the site will be provided per UG requirements.

DLR Group
Overland Park, Kansas
o: 913/897-7811 f: 913/897-8333

Q: How does the development plan to eliminate cars stacking along Leavenworth Road during drop-off and pick-up times?

A: Leavenworth Road will be widened as part of the Elementary School project – providing left- and right-turning lanes on the southern half of the street. In addition, two drop-off lanes are provided at the site entrance, which can accommodate stacking up to 100 vehicles.

Q: How many parking stalls are being built as part of the Elementary School?

A: Approximately 400 stalls will be built. This is more than a typical school, as there are no surrounding neighborhood streets where parking can be absorbed. We also want to eliminate any possibility of parking along Leavenworth and 131st Streets.

Q: What's going to happen along the east side of the school's property against the existing neighborhood.

A: A sidewalk will connect to the neighborhood at the end of Roswell Street. (Tim)

Q: Where is the sewer connecting & extending through?

A: The sewer is extending west along the south side of the planned school building. That design work isn't designed by the civil engineers, but will be designed by the UG. (Dustin)

Q: Where is the sewer going? Where does it leave the property? Where does the new public sewer line go?

A: (location was shown on the site plan; just south of the detention area). We cannot speak for what UG will do regarding the sewer line beyond our property boundary and they have not finalized their plans. (Dustin)

Q: Will extra cost from the sewer & road widening be funded by charging current residents through a benefit district?

A: The UG doesn't have plans to charge current residents. The plans for sewer design and financing are facilitated through the UG. (Dustin) The UG is planning to fund the sewer extension project through future development connection fees along with fees incurred through the school district for the current project. Current residents will not be forced to connect to the sewer system and/or charged a fee for the sewer extension project. (Neil)

DLR Group
Overland Park, Kansas
o: 913/897-7811 f: 913/897-8333

Q: Are any power lines or water mains being moved with the project?

A: Not with the first phase (current project). (Dustin)

Q: Can you describe what the landscaping plan is along 131st Street?

A: Much of the existing vegetation is planned to remain along 131st Street. (Then landscape architect illustrates current plan on display boards) (Jackie)

Q: Will there be sidewalks on the site?

A: Yes (Jackie)

Q: Are you going to widen Leavenworth Rd to the south rather than the north?

A: Yes, that is the plan. (Dustin)

Q: How will you prevent traffic backups along Leavenworth Rd to the east?

A: A dedicated left turn lane has been designed for traffic coming from the east. (Dustin) Also, the parking lot design provides generous car stacking space on the project site. (Jackie)

Q: Is there a traffic light planned for the intersection of Leavenworth Rd & 131st Street?

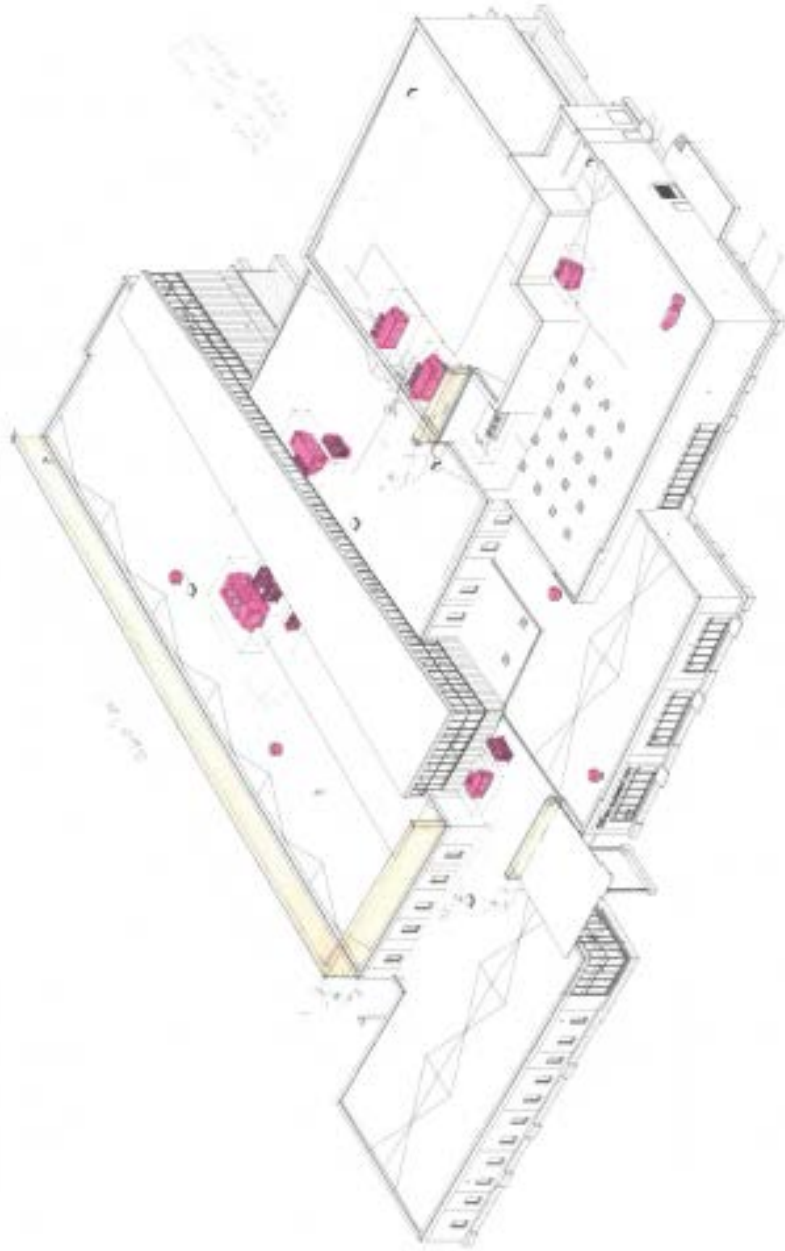
A: It's not currently planned with this project, but the UG has shown interest in a traffic light for a future project. (Dustin) The UG has approved a stoplight project in the budget for the next fiscal year. (Audience Member)

Meeting concluded at 8:00 pm.

The meeting notes are a summary and representation of the information that was discussed and noted by the author in no particular order. Please review and submit any corrections / modifications to the author within 5 business days.









Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: September 27, 2018
Re: Petition #PR-2018-25

GENERAL INFORMATION

Applicant:
Brian Hill

Status of Applicant:
Representative
MKEC Engineering, Inc.
11827 West 112th Street, Suite 200
Overland Park, KS 66210

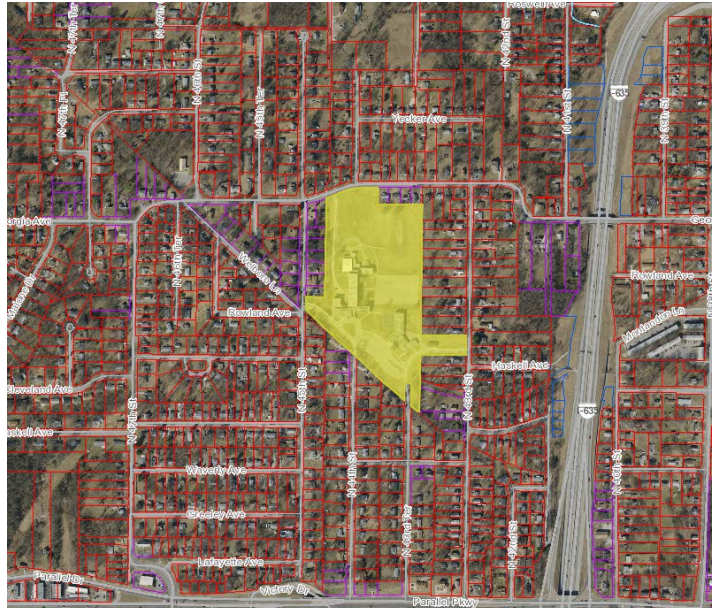
Requested Action:
Approval of Preliminary Plan Review

Date of Application:
July 27, 2018

Purpose:
To build a new 72,000 square foot elementary school

Property Location:
2600 North 44th Street

Existing Zoning:
R-1 Single Family District



Surrounding Zoning: **North:** R-1 Single Family District
 South: R-1 Single Family District
 East: R-1 Single Family District
 West: R-1 Single Family District

Existing Uses: **North:** Single family homes
 South: Single family homes
 East: Single family homes
 West: Single family homes

Total Tract Size: 19.40 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Public/Semi-Public.

Major Street Plan: The Major Street Plan classifies Georgia Avenue as a collector and North 43rd Street, North 44th Street, North 44th Terrace and North 45th Street as local streets.

Advertisement: Property Owner Letters – August 15, 2018 and September 21, 2018
 Wyandotte Echo – Not required

Public Hearings: September 10, 2018 and September 27, 2018

Public Opposition: No one appeared in opposition at the September 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Brian Hill with MKEC Engineering, Inc. on behalf of Kansas City, Kansas USD 500 has applied for a preliminary plan review to demolish William A. White Elementary School and West Middle School to build a new 72,000 square foot elementary school, West Elementary School at 2600 North 44th Street.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The school site sits within an established single-family neighborhood. The property is encircled by single family homes.

2. The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.

The proposed use will not increase traffic or parking demand in ways that would adversely affect the road capacity, safety, or create problems as there are two schools on site.

3. *The degree of conformance of the proposed use to the Master Plan.*

The proposed use conforms to the Master Plan.

4. *The extent to which utilities and public services are available and adequate to serve the proposed use.*

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To be designed to meet City Code

d. *Police*

Police service is provided by the Midtown Patrol, District #443

e. *Fire*

Fire service is provided by Station #18

f. *Transit*

Kansas City ATA does not provide transit service near the property.

g. *Schools*

Kansas City, Kansas USD 500

5. *The capability of the proposed use to meet applicable ordinance and other requirements.*

The proposed use is capable of meeting applicable ordinance and other requirements.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on July 16, 2018. According to the applicant, those that attended in the meeting did not appear in opposition of the project.

KEY ISSUES

Traffic Circulation
Pedestrian Connectivity

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of Preliminary Plan Review #PR-2018-25, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Provide an overall site plan for the development.

Applicant Response: See sheets C13 and C18 for overall site plan.

2. How many staff members are employed at the school?

Applicant Response: The anticipated number of employees is anticipated to be approximately 55 staff members.

3. Will trucks make deliveries using the access point off Georgia Avenue?

Applicant Response: Yes, trucks will use the entrance from Georgia Avenue.

4. The site is currently very disconnected for pedestrians with four streets intersecting with the parcel from the south and Georgia Avenue to the north.

Based on the Sidewalk and Trails Master Plan, the property line abutting Georgia Avenue is a part of the Regional Multi-Purpose Trail Connections and On-Street Bike Route Connections (Share the Road), respectively.

A minimum 10-foot sidewalk/trail along arterial road shall be constructed on Georgia Avenue.

Applicant Response: A 6' sidewalk has been incorporated into the plans as a best solution given current conditions. The current road alignment of Georgia Avenue skews far to the south of the right-of-way along the curve adjacent to the school property. Our assessment is that any sidewalk

improvements constructed as part of this project will be of a temporary nature and would be replaced when Georgia Avenue is upgraded to the Complete Streets criteria. The sidewalk as proposed will be outside of the existing right-of-way. We would welcome further discussion with staff concerning trail improvements and the viability with current street and storm sewer infrastructure.

Staff Response: There are multiple Safe Routes to Schools projects associated with this school through Public Works. Additional coordination during the final plan review is required with Public Works and MKEC.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

The techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from North 43rd Terrace, North 44th North 45th Streets, the residences from the east and south can look directly at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Applicant Response: The exterior façade of this building is articulated in a way that highlights individual program elements and features and displays them as integral elements of the overall design that is composed on the project site. The building is oriented along the North – South axis and is broken up along its elevation by distinct separation of its program elements. The classrooms that account for the largest program function are articulated by a red brick base up to a warm concrete sandblasted panel. The classrooms are separated by vertical service elements that house restroom, stairs, and storage functions and is articulated on the façade by a dark gray precast concrete panel with vertical linear accents.

The larger gym and multi-purpose program functions are identified by precast panels that have unique patterns that are cast into the panels and provide different textures and finishes to the tall panels along its elevation. A majority of the exterior façade is composed of precast panels that have brick elements cast into the panels, which features different insets and patterns of brick that are unique to different parts of the building and its

program. The panels have an integral color to the concrete that compliments the design of the brick and its location on the building. The exterior features a large number of windows on multiple levels and orientations that provide natural light into the interior spaces. The exterior façade features a number of articulations that highlight material changes in plane and orientation, creating a unique composition on each elevation of the building. Each elevation is treated with the same level of detail and importance to the context of the surrounding neighborhood and each unique view from the project boundaries.

Staff Response: As stated previously, the tilt-up precast concrete panels shall be integrally-colored and not standard, concrete gray.

2. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: The transformer will be screened with 6' tall landscaping.

3. Downspouts shall be internalized.

Applicant Response: All downspouts will be internalized.

4. Provide trash enclosure elevations.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached enclosure elevations.

5. All RTUs must be parapet screened.

Applicant Response: All RTUs are screened using the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Landscaping and Screening:

1. Based on the landscaping requirements in the R-1 Single Family District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 211 trees are required to be planted for the new elementary. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Applicant Response: The landscaping requirement of 121 trees would create a site condition where large portions of necessary for school operation and recreation would not be possible. We have strategically located trees to offer benefits to the school's neighbors and provide a well

landscaped site. Current plans show 59 new trees with an additional 15 existing trees to remain. We welcome further discussion during the final development phase to address UG concerns.

Staff Response: Staff cannot waive the district's landscaping requirements. To install 59 trees, a variance from the Board of Zoning Appeals is required. This will not impact the preliminary development plan but submit the variance application prior to the final development plan.

For the variance, during your neighborhood meeting provide two (2) options for landscaping:

1. Show a landscape plan if you get the variance (59 trees), and
 2. Show a landscape plan if you do not receive the variance (121 trees).
2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between street trees.

Applicant Response: We will review Sec. 27-577(b)(3) to incorporate street trees but have been operating on a one (1) tree per 30' of frontage planting plan for school district work.

3. Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan and provide an overall site plan.

Applicant Response: We believe we can accommodate the other requests for street trees, sizes, and spacing with the exception of the south parking area. We acknowledge that to meet code would require the addition of two (2) small median islands with tree plantings. In lieu of providing additional medians, the large existing median and a new median in the reconstructed area have been heavily landscaped.

4. All landscaping shall be irrigated.

Applicant Response: Comment acknowledged. Landscaping will be irrigated.

5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: Comment acknowledged.

6. Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).

Applicant Response: Comment acknowledged.

7. All lighting, whether mounted on the building or in the parking lot shall have 90-degree cutoff fixtures.

Applicant Response: Comment acknowledged.

8. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Comment acknowledged.

9. The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached trash enclosure elevations.

10. The building elevations do not depict rooftop mechanical equipment. The code requires rooftop mechanical equipment be screened from public view by a parapet. Failure to show rooftop equipment may result in building modifications such as raising the parapet during building permitting at DRC. Value engineering modifications that impact this approval may require additional approvals prior to authorizing construction.

Applicant Response: All RTUs are screened using elements of the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Comment acknowledged.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) Engineering comments are listed as stipulations below.
- B) Items that are conditions of approval (stipulations):
- 1) The final layout of the sidewalk from the proposed school building to 45th Street shall be coordinated with the UG Safe Route to School - Phase F sidewalk improvement project which is currently under preliminary design. The coordination may include the realignment of the sidewalk with the new sidewalk along Welborn Lane and the corresponding intersection improvements and extension of sidewalk along school property line on 45th Street, as applicable. Further discussion with UG staff is required.
 - 2) Georgia Avenue is expected to be upgraded to a standard street, which may include curb and gutter, 5' of space for bicycles for each direction, green space and sidewalks. Proposed sidewalks along Georgia Avenue shall be constructed at a minimum of 10" behind existing edge of pavement. Further discussion with staff is required.
 - 3) Provide and indicate 8" thick concrete for the turnaround section at the end of North 44th Street.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition #PR-2018-25 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

September 10, 2018 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Sidewalk and Trails Master Plan Regional Trail Cross Section
Paving Plan
Landscape Plan
Photometric Plan
Building Elevations
Street Views

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	September 10, 2018	September 27, 2018
Preliminary Plan Approval		

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**PR-2018-25** as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition #**PR-2018-25**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

September 10, 2018 City Planning Commission Minutes:

Hearing Starts at 2:27:25:

PLAN REVIEW APPLICATION #PR-2018-25 – BRIAN HILL WITH MKEC ENGINEERING, INC. – SYNOPSIS: Preliminary Plan Review for an elementary school for USD 500 (New West Elementary) at 2600 North 44th Street. **Detailed Outline of Requested Action:** The applicant, Brian Hill with MKEC Engineering, Inc. on behalf of Kansas City, Kansas USD 500 has applied for a preliminary plan review to demolish William A. White Elementary School and West Middle School to build a new 72,000 square foot elementary school, West Elementary School at 2600 North 44th Street.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;

4. The staff report and attachments dated September 10, 2018;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file; and
6. The Notices to property owners dated August 15, 2018.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Brian Hill, MKEC Engineering, Inc., 11827 West 112th Street, Suite 200, Overland Park, Kansas 66210
- ❖ James Everard, HTK Architects, 9300 West 110th Street, Overland Park, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:37:09: Planning Director Richardson stated that where 44th Street comes up (page 18 of the staff report) they are putting in a hammerhead where they are closing the road off. With that comment the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote starts at 2:37:33:

On motion by Dr. Serda, seconded by Mr. Carson, the Planning Commission voted as follows to **recommend APPROVAL of Plan Review Application #PR-2018-25:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Miller	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Pauley	Not Present

Motion to APPROVE Passed: 8 to 0
Subject to:

Urban Planning and Land Use Comments:

General Planning:

1. Provide an overall site plan for the development.

***Applicant Response:** See sheets C13 and C18 for overall site plan.*

2. How many staff members are employed at the school?

Applicant Response: The anticipated number of employees is anticipated to be approximately 55 staff members.

3. Will trucks make deliveries using the access point off Georgia Avenue?

Applicant Response: Yes, trucks will use the entrance from Georgia Avenue.

4. The site is currently very disconnected for pedestrians with four streets intersecting with the parcel from the south and Georgia Avenue to the north.

Based on the Sidewalk and Trails Master Plan, the property line abutting Georgia Avenue is a part of the Regional Multi-Purpose Trail Connections and On-Street Bike Route Connections (Share the Road), respectively.

A minimum 10-foot sidewalk/trail along arterial road shall be constructed on Georgia Avenue.

Applicant Response: A 6' sidewalk has been incorporated into the plans as a best solution given current conditions. The current road alignment of Georgia Avenue skews far to the south of the right-of-way along the curve adjacent to the school property. Our assessment is that any sidewalk improvements constructed as part of this project will be of a temporary nature and would be replaced when Georgia Avenue is upgraded to the Complete Streets criteria. The sidewalk as proposed will be outside of the existing right-of-way. We would welcome further discussion with staff concerning trail improvements and the viability with current street and storm sewer infrastructure.

Staff Response: There are multiple Safe Routes to Schools projects associated with this school through Public Works. Additional coordination during the final plan review is required with Public Works and MKEC.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
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 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

The techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from North 43rd Terrace, North 44th North 45th Streets, the residences from the east and south can look directly at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Applicant Response: The exterior façade of this building is articulated in a way that highlights individual program elements and features and displays them as integral elements of the overall design that is composed on the project site. The building is oriented along the North – South axis and is broken up along its elevation by distinct separation of its program elements. The classrooms that account for the largest program function are articulated by a red brick base up to a warm concrete sandblasted panel. The classrooms are separated by vertical service elements that house restroom, stairs, and storage functions and is articulated on the façade by a dark gray precast concrete panel with vertical linear accents.

The larger gym and multi-purpose program functions are identified by precast panels that have unique patterns that are cast into the panels and provide different textures and finishes to the tall panels along its elevation. A majority of the exterior façade is composed of precast panels that have brick elements cast into the panels, which features different insets and patterns of brick that are unique to different parts of the building and its program. The panels have an integral color to the concrete that compliments the design of the brick and its location on the building. The exterior features a large number of windows on multiple levels and orientations that provide natural light into the interior spaces. The exterior façade features a number of articulations that highlight material changes in plane and orientation, creating a unique composition on each elevation of the building. Each elevation is treated with the same level of detail and importance to the context of the surrounding neighborhood and each unique view from the project boundaries.

Staff Response: As stated previously, the tilt-up precast concrete panels shall be integrally-colored and not standard, concrete gray.

2. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Applicant Response: The transformer will be screened with 6' tall landscaping.

3. Downspouts shall be internalized.

Applicant Response: All downspouts will be internalized.

4. Provide trash enclosure elevations.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached enclosure elevations.

5. All RTUs must be parapet screened.

Applicant Response: All RTUs are screened using the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Landscaping and Screening:

- 1. Based on the landscaping requirements in the R-1 Single Family District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 211 trees are required to be planted for the new elementary. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.**

Applicant Response: The landscaping requirement of 121 trees would create a site condition where large portions of necessary for school operation and recreation would not be possible. We have strategically located trees to offer benefits to the school's neighbors and provide a well landscaped site. Current plans show 59 new trees with an additional 15 existing trees to remain. We welcome further discussion during the final development phase to address UG concerns.

Staff Response: Staff cannot waive the district's landscaping requirements. To install 59 trees, a variance from the Board of Zoning Appeals is required. This will not impact the preliminary development plan but submit the variance application prior to the final development plan.

For the variance, during your neighborhood meeting provide two (2) options for landscaping:

- 1. Show a landscape plan if you get the variance (59 trees), and**
 - 2. Show a landscape plan if you do not receive the variance (121 trees).**
- 2. Sec. 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:**
 - a. One tree with a minimum caliper of two inches (ornamental) evergreen trees must be (at least six feet tall when planted) provided for every 30 feet of street easement or frontage.**

- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between street trees.

Applicant Response: We will review Sec. 27-577(b)(3) to incorporate street trees but have been operating on a one (1) tree per 30' of frontage planting plan for school district work.

3. Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces. Revise and resubmit the paving plan and provide an overall site plan.

Applicant Response: We believe we can accommodate the other requests for street trees, sizes, and spacing with the exception of the south parking area. We acknowledge that to meet code would require the addition of two (2) small median islands with tree plantings. In lieu of providing additional medians, the large existing median and a new median in the reconstructed area have been heavily landscaped.

4. All landscaping shall be irrigated.

Applicant Response: Comment acknowledged. Landscaping will be irrigated.

5. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the development and 3 gallons internal to the site when planted.

Applicant Response: Comment acknowledged.

6. Only decorative lighting can be used on the exterior of the building. No wall pack lights or flood lights are permitted. This includes lights over the exit doors as required by the International Building Code (IBC).

Applicant Response: Comment acknowledged.

7. All lighting, whether mounted on the building or in the parking lot shall have 90-degree cutoff fixtures.

Applicant Response: Comment acknowledged.

8. Sec. 27-699(b)(9) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of

lights that cast light on adjacent residentially zoned property shall not exceed one-foot candle as measured from said property line.

Applicant Response: Comment acknowledged.

9. The trash enclosure shall be heavily landscaped and screened with an architectural wall that is comprised of the same building materials as the primary structure.

Applicant Response: The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached trash enclosure elevations.

10. The building elevations do not depict rooftop mechanical equipment. The code requires rooftop mechanical equipment be screened from public view by a parapet. Failure to show rooftop equipment may result in building modifications such as raising the parapet during building permitting at DRC. Value engineering modifications that impact this approval may require additional approvals prior to authorizing construction.

Applicant Response: All RTUs are screened using elements of the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Signage:

1. Shall comply with the sign ordinance.

Applicant Response: Comment acknowledged.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Engineering comments are listed as stipulations below.
- B) Items that are conditions of approval (stipulations):
 - 1) The final layout of the sidewalk from the proposed school building to 45th Street shall be coordinated with the UG Safe Route to School - Phase F sidewalk improvement project which is currently under preliminary design. The coordination may include the realignment of the sidewalk with the new sidewalk along Welborn Lane and the corresponding intersection improvements and extension of sidewalk along school property line on 45th Street, as applicable. Further discussion with UG staff is required.
 - 2) Georgia Avenue is expected to be upgraded to a standard street, which may include curb and gutter, 5' of space for bicycles for each direction, green space and sidewalks. Proposed sidewalks along Georgia Avenue shall be constructed at a minimum of 10" behind existing edge of pavement. Further discussion with staff is required.

- 3) Provide and indicate 8" thick concrete for the turnaround section at the end of North 44th Street.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None



August 21, 2018

Byron Toy
Unified Government
Planning/Engineering Division
Urban Planning and Land Use Dept.
701 North 7th Street, Room 423
Kansas City, Kansas 66101

Reference: New West Elementary School - PR-2018-25
2600 N 44th Street
Preliminary Development Plan Comment Responses

Dear Mr. Toy:

This letter is in response to Unified Government City Planning Staff comments provided on August 20, 2018. The following are our responses:

STAFF COMMENTS AND SUGGESTIONS

Urban Planning and Land Use Comments:

General Planning:

1. Provide an overall site plan for the development.
Response: See sheets C13 and C18 for overall site plan
2. How many staff members are employed at the school?
Response: The anticipated number of is anticipated to be approximately 55 staff members.
3. Will trucks make deliveries using the access point off Georgia Avenue?
Response: Yes, trucks will use the entrance from Georgia
4. The site is currently very disconnected for pedestrians with four streets intersecting with the parcel from the south and Georgia Avenue to the north.

Based on the Sidewalk and Trails Master Plan, the property line abutting Georgia Avenue is a part of the Regional Multi-Purpose Trail Connections and On-Street Bike Route Connections (Share the Road), respectively.

A minimum 10-foot sidewalk/trail along arterial road shall be constructed on Georgia Avenue.

Response: A 6' sidewalk has been incorporated into the plans as a best solution given current conditions. The current road alignment of Georgia Avenue skews far to the south of the right-of-way along the curve adjacent to the school property. Our assessment is that any sidewalk improvements constructed as part of this project will be of a temporary nature and would be replaced when Georgia Avenue is upgraded to the Complete Streets criteria. The sidewalk as proposed will be outside of the existing right-of-way. We would welcome further discussion with staff concerning trail improvements and the viability with current street and storm sewer infrastructure.

Building and Architectural Design:

1. Sec. 27-576(c)(2) In order to break up the monotonous appearance of long faces, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following

11827 W. 112th St., Ste. 200 • Overland Park, KS 66210 • T 913.317.9390 • F 913.317.9385 • MKEC.COM

techniques:

- a. Divisions or breaks in materials;
- b. Building offsets (projections, recesses, niches);
- c. Window bays;
- d. Separate entrances and entry treatment; or
- e. Variation in rooflines.

The techniques in addition to the building articulation needs to be integrated into the design of each façade. While the building is setback into the site from North 43rd Terrace, North 44th North 45th Streets, the residences from the east and south can look directly at the building. The same level of architectural detail for the USD 500 schools should be incorporated into this building. Precast panels shall be integrally-colored instead of the standard, ashen concrete gray.

Response: *The exterior facade of this building is articulated in a way that highlights individual program elements and features and displays them as integral elements of the overall design that is composed on the project site. The building is oriented along the North – South axis and is broken up along its elevation by distinct separation of its program elements. The classrooms that account for the largest program function are articulated by a red brick base up to a warm concrete sandblasted panel. The classrooms are separated by vertical service elements that house restroom, stairs, and storage functions and is articulated on the façade by a dark gray precast concrete panel with vertical linear accents. The larger gym and multipurpose program functions are identified by precast panels that have unique patterns that are cast into the panels and provide different textures and finishes to the tall panels along its elevation. A majority of the exterior façade is composed of precast panels that have brick elements cast into the panels, which features different insets and patterns of brick that are unique to different parts of the building and its program. The panels have an integral color to the concrete that compliments the design of the brick and its location on the building. The exterior features a large number of windows on multiple levels and orientations that provide natural light into the interior spaces. The exterior façade features a number of articulations that highlight material changes in plane and orientation, creating a unique composition on each elevation of the building. Each elevation is treated with the same level of detail and importance to the context of the surrounding neighborhood and each unique view from the project boundaries.*

2. Utility connections (including transformer boxes) shall be screened with 6' landscaping or a 6' architecturally designed screen wall. All utilities mounted on the wall shall be painted to match the building.

Response: *The transformer will be screened with 6'-0" tall landscaping*

3. Downspouts shall be internalized.

Response: *All downspouts will be internalized.*

4. Provide trash enclosure elevations.

Response: *The trash enclosure will be constructed of the same precast panels with brick masonry cast into the panel that are on the main building. See attached trash enclosure elevations.*

5. All RTUs must be parapet screened.

Response: *All RTUs are screened using elements of the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.*

Landscaping and Screening:

1. Based on the landscaping requirements in the R-1 Single Family District (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), 211 trees are required to be planted for the new elementary. These totals do not include the street tree requirement or trees to be planted in the parking lot islands.

Response: *The landscaping requirement of 121 trees would create a site condition where large portions necessary for school operation and recreation would not be possible. We have strategically located trees to offer benefits to the schools neighbors and provide a well landscaped*

site. Current plans show 59 new trees with an additional 15 existing trees to remain. We welcome further discussion during the Final Development phase to address UG concerns.

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 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between street trees.

Response: We will review Sec. 27-577b3 to incorporate street trees but have been operating on a 1 tree per 30' of frontage planting plan for school district work.

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All landscaping shall be irrigated.

Response: Comment acknowledged. Landscaping will be irrigated.

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Response: All RTUs are screened using elements of the architectural façade that has been designed to incorporate them into the overall building form. See attached street view study, dated 08.14.2018.

Signage:

1. Shall comply with the sign ordinance.

Response: Comment acknowledged.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
 - 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

All of the comments have been addressed. A revised set of plans have been electronically submitted along with this response letter, and supporting documents.

Please let me know if you have any questions,

Sincerely,

MKEC ENGINEERING, INC.



Greg Nelson, P.E.

CC: Gordon Kimble – HTK Architects
Mark Stubbolo – USD 500



New "West" Elementary School Neighborhood Meeting Minutes

EVENT:	Neighborhood Meeting
LOCATION:	West Middle School Library, 2600 N. 44 th Street
PROJECT:	PR-2018-25 - Construction of New "West" Elementary School
DATE:	07-16-2018

Meeting Attendees: See Attached Sign in List

Meeting Summary:

A Public neighborhood meeting was held on July 16, 2018. The meeting began at 6:00pm and concluded at 7:00 pm. The meeting was led by USD 500 Assistant Director of Physical Properties, Mark Stubbolo. Conducting the presentation was Gordon Kimble and James Evrard of HTK Architects. Assisting with the presentation were Brian Hill and Greg Nelson, MKEC Engineering, Inc.

Meeting Minutes:

Mark Stubbolo introduced the presenters, and thanked the attendees for their interest in the project. Gordon Kimble began the presentation by giving a general explanation of the KCPPS bond issue, and HTK's role in designing the elementary schools. He explained the process of site evaluation and how the original intent of repurposing West Middle School into an elementary school was determined to be a less efficient alternative to razing and replacing the school with a new building. Renovation was estimated to cost \$15 million and would extend the life of the building another 20 years, while a new building is estimated to cost \$18 million and will have a 50 year life.

Gordon continued by describing the layout and placement of the new 2-story building at the existing site of West Middle School, which would allow the current William Allen White Elementary School, which shares the site with West Middle School, to continue in operation while the new elementary school is built. He discussed the decision to reduce the vehicular access from the current five entrances down to three, by eliminating the loop that passes through the parking lot, connecting 44th Street to 45th Street. The current configuration encourages a lot of non-school related traffic to pass through the school grounds to get from one street to another. He illustrated where the pedestrian access points would be, noting that 44th Street will be getting a sidewalk to the school as part of the Safe Routes to Schools program.

Gordon then explained the vehicular access pattern, with cars for drop-off and pick up coming through the entrances and parking lot on the south side of the school, separated from bus access on the north from Georgia Avenue. The existing parking lot on the south will be reconfigured to align with the new school entrance and a new small lot will be constructed within the bus loop on the north for extracurricular activities and school programs, with a drive leading to overflow parking on the hard play area. He finished his portion of the presentation by talking about the outdoor learning center and a future maintenance building to potentially be built at the north end of the site.

James Evrard continued the presentation by concentrating on the building itself, describing the security features, such as the secure entry; and safety features, explaining that the gym and multipurpose area will be hardened to serve as a storm shelter. He continued by showing the building layout, including the entry, offices, media center, circulation space and classroom areas. He also gave a thorough explanation of the exterior design and materials to be used.



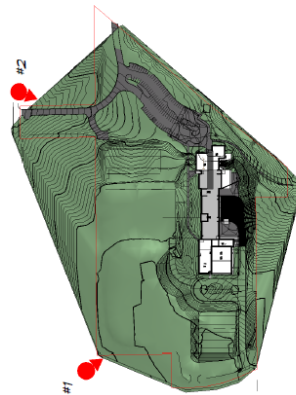
New “West” Elementary School Neighborhood Meeting Minutes

Following the presentation, the meeting was opened up to questions from those attending.

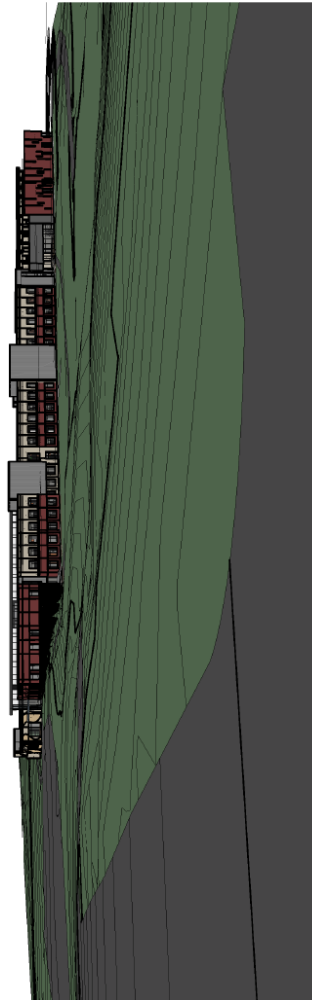
- Question: Where with the north end of the building be? Answer: The north end will be in approximately the same location as the current middle school building
- Question: Will the maintenance building be next to Georgia Avenue? Answer: That is the current anticipated location.
- Question: Will the kitchen still be in the same location? Answer: The kitchen will be toward the north end of the building, near the gym and multipurpose area, with deliveries coming from the west side of the building.
- Question: When will construction start? Answer: Construction will begin after the 2018-2019 school year with an August 2020 opening.
- Question: What will happen to William Allen White Elementary building? Answer: It will be razed once the new building is complete.
- Question: What grades will be in the new school? Answer: Kindergarten through 5th grade.

The meeting concluded with a comment from the attendees that the elimination of entrances will be good to control traffic and safer for students. They mentioned that people use the parking lot to do donuts and burnouts

This concludes the meeting minutes.



CAM 1- NORTH EAST (GEORGIA AVE)



CAM 2- SOUTH EAST (N.43 ST)

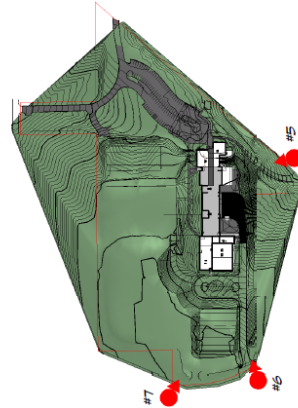


NEW WEST ELEMENTARY SCHOOL

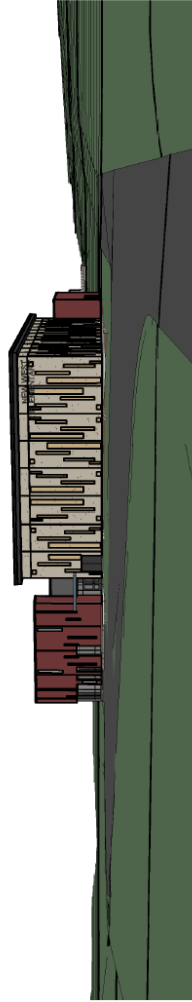
Kansas City, Kansas
School District

08/14/18





CAM 5- (N.45TH AND WELBORN LN)



CAM 6- (GEORGIA AND BUS LOOP)



CAM 7- (44TH AND GEORGIA AVE)



NEW WEST ELEMENTARY SCHOOL

Kansas City, Kansas
School District

08/14/18

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE regarding mobile grocery operations; amending Sections **27-340, 276-609, 27-610, and 27-612 through 27-614** to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

**BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF
WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:**

Section 1. That Chapter 27, Planning and Development, Article VIII, **27-340, 276-609, 27-610, and 27-612 through 27-614** of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, are hereby amended to read as follows:

Sec. 27-340. – Definitions.

Mobile Market, means the selling of food products, including, but not limited to: fresh produce and dry goods out of a bus, truck, trailer, or other mobile unit. At least 50% of the foods for sale will be WIC-approved food types. Mobile market vehicles must fall between grades 2-7 on the Federal Highway Administration trailer size guideline AND must not be longer than 45’.

Sec. 27-612. – Districts C-0, C-1, C-2, and C-3

In the nonretail business (C-0), limited business (C-1), central business (C-D), general business (C-2), and commercial districts (C-3), accessory uses are as follows:

(9) Food Truck and Mobile Vending

- a. Food Trucks and Mobile Food Vendors, including mobile markets, are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks or Mobile Food Vendors that operate outside of the allowed zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:
 1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
 2. There is sufficient stacking area for pedestrians to wait on a sidewalk.
 3. Vendor does not install any permanent improvement on the sidewalk.
 4. Vehicle is not parked in a no-parking zone
 5. Does not occupy parking required for other businesses.
 6. If in a metered spot, meter is paid.

7. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash on or offsite associated with the operation.
8. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
9. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-613. - Districts M-1; M-2 and M-3.

In the light industrial and industrial park (M-1), general industrial (M-2), and heavy industrial districts (M-3), accessory uses are as follows:

(10) Food Truck and Mobile Vending

a. Food Trucks and Mobile Food Vendors, including mobile markets, are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks that operate outside of the following zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:

10. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
11. There is sufficient stacking area for pedestrians to wait on a sidewalk.
12. Vendor does not install any permanent improvement on the sidewalk.
13. Vehicle is not parked in a no-parking zone
14. Does not occupy parking required for other businesses.
15. If in a metered spot, meter is paid.
16. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
17. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
18. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-614. - District TND.

In the traditional neighborhood design (TND) district, accessory uses are as follows:

(1) Those accessory uses permitted in district agricultural (AG) through districts C-1, C-D, C-2, and C-3 districts.

fn1 <https://www.cnpp.usda.gov/2015-2020-dietary-guidelines-americans>

(3) Food Truck and Mobile Vending

a. Food Trucks and mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks that operate outside of the following zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:

1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
2. There is sufficient stacking area for pedestrians to wait on a sidewalk.
3. Vendor does not install any permanent improvement on the sidewalk.
4. Vehicle is not parked in a no-parking zone
5. Does not occupy parking required for other businesses.
6. If in a metered spot, meter is paid.
7. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
8. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
9. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-609. – Districts R-1, R-1(B), R-2, R-2(B).

In the single-family (R-1; R-1(B)), two-family (R-2; R-2(B)) districts, accessory uses are as follows:

(7) Mobile Market Vending for Food Access

a. Mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district.

1. Locations must invite the mobile market to park at their lot and be willing to sign the agreement with the planning office.
2. Annual agreement can be reviewed at any time during the year if complaints of non-compliance are submitted, agreement may be revoked at any time without cause or notice.
3. Final agreement packet to include: dates and times of operation for each stop, property owner signatures (property manager if permissible). All vending vehicles must comply with the following stipulations:
 1. Vending operation takes place in a designated parking lot at the furthest point from the nearest property line, with sufficient space to accommodate the operation and not reduce any required parking for the permanent tenant(s) at that location.
 2. Vehicle is not parked within 100 feet of a single-family home's property line
 3. The sales or vending area does not block any sidewalk and sidewalk remains ADA compliant.
 4. There is sufficient stacking area for pedestrians to wait on a sidewalk.

5. Vendor does not install any permanent improvement on the sidewalk.
6. Vehicle is not parked in a no-parking zone
7. Does not occupy parking required for other businesses.
8. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
9. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
10. Mobile markets may operate from 9am-5pm Sunday, 9am-7pm Monday-Thursday, and 9am-8pm Friday-Saturday
11. Mobile markets must display signage indicating contact information for appeals/complaints, as well as proof of annual agreement at each stop (or on vehicle).
12. Mobile markets may not park for more than 4 hours once a week at any one location.

Sec. 27-610. – Districts R-3, R-4, R-5, R-6, and R-M.

In the townhouse (R-3), garden apartment (R-4), apartment (R-5), high-rise apartment (R-6), and mobile home park (R-M) districts, accessory uses are as follows:

(8) Mobile Market Vending For Food Access

b. Mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district.

1. Locations must invite the mobile market to park at their lot and be willing to sign the agreement with the planning office.
2. Annual agreement can be reviewed at any time during the year if complaints of non-compliance are submitted.
3. Final agreement packet to include: dates and times of operation for each stop, property owner signatures (property manager if permissible). All vending vehicles must comply with the following stipulations:
 1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
 2. Vehicle is not parked within 100 feet of a single-family home.
 3. There is sufficient stacking area for pedestrians to wait on a sidewalk.
 4. Vendor does not install any permanent improvement on the sidewalk.
 5. Vehicle is not parked in a no-parking zone
 6. Does not occupy parking required for other businesses.
 7. If in a metered spot, meter is paid.
 8. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
 9. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
 10. Mobile markets may operate from 9am-7pm Sunday-Thursday and 9am-8pm

Friday-Saturday

11. Mobile markets must display signage indicating contact information for appeals/complaints, as well as proof of annual agreement at each stop (or on vehicle).
12. Mobile markets may not park for more than 4 hours at any one location.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS 27th DAY OF SEPTEMBER, 2018.

David Alvey Mayor/CEO

Attest:

Unified Government Clerk

(First published _____)

#3166

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 13120 Leavenworth Road in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on June 29, 2018, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to R-1 Single Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

A tract of land in the SE ¼ of section 30-T10S-R23E of the 6th p.m., Wyandotte County, Kansas described as follows; Commencing at the SE corner of said section 30; Thence S 88 degrees 03'50"W, 228.70 feet along the south line of section 30; Thence, N 01 degrees 52'02"W, 50.00 feet to north right of way line of Leavenworth Road and the point of beginning of this tract;
Thence, S 88 degrees 03'50"W, 411.77 feet along said right of way line;
Thence, N 01 degrees 48'00"W, 208.70 feet;
Thence, S 88 degrees 03'50"W, 20.00 feet;
Thence, N 01 degrees 48'00"W, 208.70 feet;
Thence, N 88 degrees 03'50"E, 431.28 feet;
Thence, S 01 degrees 52'02"E, 417.40 feet to the point of beginning.
Contains 4.04 acres, more or less.

Located at approximately 13120 Leavenworth Road, Kansas City, Kansas.

be changed from its present zoning of A-G Agriculture District to R-1 Single Family District as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Urban Planning and Land Use Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-1 Single Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____
DAY OF _____, 2018.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
DAVID ALVEY
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: September 27, 2018

Re: **Proposed Ordinance Amendment regarding mobile grocery operations**

UPDATE

After the Planning Commission previously recommended approval in February 2018, the Board of Commissioners sent the item back for additional work between staff a Commissioner and the interested parties. After some difficulty in setting meetings, the group has reached consensus. The new draft is set below. Changes are highlighted in yellow.

Sec. 27-340. – Definitions.

Mobile Market, means the selling of food products, including, but not limited to: fresh produce and dry goods out of a bus, truck, trailer, or other mobile unit. At least 50% of the foods for sale will be WIC-approved food types. Mobile market vehicles must fall between grades 2-7 on the Federal Highway Administration trailer size guideline AND must not be longer than 45'.

Sec. 27-612. – Districts C-0, C-1, C-2, and C-3

In the nonretail business (C-0), limited business (C-1), central business (C-D), general business (C-2), and commercial districts (C-3), accessory uses are as follows:

(9) Food Truck and Mobile Vending

a. Food Trucks and Mobile Food Vendors, including mobile markets, are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks or Mobile Food Vendors that operate outside of the allowed zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:

1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
2. There is sufficient stacking area for pedestrians to wait on a sidewalk.
3. Vendor does not install any permanent improvement on the sidewalk.
4. Vehicle is not parked in a no-parking zone
5. Does not occupy parking required for other businesses.
6. If in a metered spot, meter is paid.
7. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash on or offsite associated with the operation.
8. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
9. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-613. - Districts M-1; M-2 and M-3.

In the light industrial and industrial park (M-1), general industrial (M-2), and heavy industrial districts (M-3), accessory uses are as follows:

(10) Food Truck and Mobile Vending

a. Food Trucks and Mobile Food Vendors, including mobile markets, are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks that operate outside of the following zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:

10. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
11. There is sufficient stacking area for pedestrians to wait on a sidewalk.
12. Vendor does not install any permanent improvement on the sidewalk.
13. Vehicle is not parked in a no-parking zone
14. Does not occupy parking required for other businesses.
15. If in a metered spot, meter is paid.
16. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
17. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
18. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-614. - District TND.

In the traditional neighborhood design (TND) district, accessory uses are as follows:

- (1) Those accessory uses permitted in district agricultural (AG) through districts C-1, C-D, C-2, and C-3 districts.

¹ <https://www.cnpp.usda.gov/2015-2020-dietary-guidelines-americans>

(3) Food Truck and Mobile Vending

a. Food Trucks and mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district. Food Trucks that operate outside of the following zoning districts require a special use permit. All vending vehicles must comply with the following stipulations:

1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
2. There is sufficient stacking area for pedestrians to wait on a sidewalk.
3. Vendor does not install any permanent improvement on the sidewalk.
4. Vehicle is not parked in a no-parking zone
5. Does not occupy parking required for other businesses.
6. If in a metered spot, meter is paid.
7. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
8. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
9. Hours of operation do not exceed 9 P.M. Sunday through Thursday and 11 P.M. Friday through Saturday.

Sec. 27-609. – Districts R-1, R-1(B), R-2, R-2(B).

In the single-family (R-1; R-1(B)), two-family (R-2; R-2(B)) districts, accessory uses are as follows:

(7) Mobile Market Vending for Food Access

a. Mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district.

1. Locations must invite the mobile market to park at their lot and be willing to sign the agreement with the planning office.
2. Annual agreement can be reviewed at any time during the year if complaints of non-compliance are submitted, agreement may be revoked at any time without cause or notice.
3. Final agreement packet to include: dates and times of operation for each stop, property owner signatures (property manager if permissible). All vending vehicles must comply with the following stipulations:
 1. Vending operation takes place in a designated parking lot at the furthest point from the nearest property line, with sufficient space to accommodate the operation and not reduce any required parking for the permanent tenant(s) at that location.
 2. Vehicle is not parked within 100 feet of a single-family home's property line
 3. The sales or vending area does not block any sidewalk and sidewalk remains ADA compliant.
 4. There is sufficient stacking area for pedestrians to wait on a sidewalk.
 5. Vendor does not install any permanent improvement on the sidewalk.
 6. Vehicle is not parked in a no-parking zone
 7. Does not occupy parking required for other businesses.

8. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
9. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
10. Mobile markets may operate from 9am-5pm Sunday, 9am-7pm Monday-Thursday, and 9am-8pm Friday-Saturday
11. Mobile markets must display signage indicating contact information for appeals/complaints, as well as proof of annual agreement at each stop (or on vehicle).
12. Mobile markets may not park for more than 4 hours once a week at any one location.

Sec. 27-610. – Districts R-3, R-4, R-5, R-6, and R-M.

In the townhouse (R-3), garden apartment (R-4), apartment (R-5), high-rise apartment (R-6), and mobile home park (R-M) districts, accessory uses are as follows:

(8) Mobile Market Vending For Food Access

b. Mobile markets are allowed upon submitting an annual agreement with the Department of Urban Planning and Land Use in this district.

1. Locations must invite the mobile market to park at their lot and be willing to sign the agreement with the planning office.
2. Annual agreement can be reviewed at any time during the year if complaints of non-compliance are submitted.
3. Final agreement packet to include: dates and times of operation for each stop, property owner signatures (property manager if permissible). All vending vehicles must comply with the following stipulations:
 1. The sales or vending area does not block an interior sidewalk and sidewalk remains ADA compliant.
 2. Vehicle is not parked within 100 feet of a single-family home.
 3. There is sufficient stacking area for pedestrians to wait on a sidewalk.
 4. Vendor does not install any permanent improvement on the sidewalk.
 5. Vehicle is not parked in a no-parking zone
 6. Does not occupy parking required for other businesses.
 7. If in a metered spot, meter is paid.
 8. Proper trash receptacles are available and utilized. The operator is responsible for removing any trash associated with the operation.
 9. May not operate within 500 feet of a public entrance of an established business offering similar products during the hours that the business is open to the public.
 10. Mobile markets may operate from 9am-7pm Sunday-Thursday and 9am-8pm Friday-Saturday
 11. Mobile markets must display signage indicating contact information for appeals/complaints, as well as proof of annual agreement at each stop (or on vehicle).
 12. Mobile markets may not park for more than 4 hours at any one location.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 8 to 0 to recommend **APPROVAL** of this ordinance amendment.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of this ordinance amendment subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

February 12, 2018 City Planning Commission Minutes
September 10, 2018 City Planning Commission Minutes

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>	
Public Hearing	September 10, 2018	September 27, 2018	-
Ordin Amend	Approval		

STAFF CONTACT: **Robin H. Richardson, AICP**
 rrichardson@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** this ordinance amendment with such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** this ordinance

amendment, as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

February 12, 2018 City Planning Commission Minutes:

Hearing Starts at 2:44:10

MISCELLANEOUS – SYNOPSIS: An Ordinance Amendment removing the special use permit requirement for mobile grocery markets and a new definition for “mobile market”.

Detailed Outline of Requested Action: Staff proposes the following ordinance modifications to achieve the goals of the community to make operating a small business in Kansas City, Kansas more easily navigable and to provide robust options for access to fresh, healthy foods.

The following items were included as part of the record for this case:

1. The City’s currently adopted zoning and subdivision regulations;
2. The staff report and attachments dated February 12, 2018; and,
3. The publications in The Echo dated December 14, 2017 and January 18, 2018

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.)

Present in Support:

- ❖ Rob Richardson, Director of Planning, 701 North 7th Street, Suite 423, Kansas City, Kansas 66101

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts at 2:46:40 - Director Richardson stated that the staff worked with several members interested in mobile grocery stores on this ordinance. Staff member Jamie Hickey can answer any questions the Commission may have as she developed the ordinance. He further stated that the staff recommends approval of this ordinance amendment.

Motion and Vote Starts at 2:47:14

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL this ordinance amendment:**

Carson	Aye
Childress	Aye
Connelly	Not Present
Ernst	Aye
Gonzalez	Aye
Huey	Chairman
Jones	Aye
Mose	Aye

Pauley Not Present
Reasons Aye
Serda Aye

Motion to recommend APPROVAL Passed: 8 to 0

September 10, 2018 City Planning Commission Minutes:

Hearing Starts At: 2:38:18:

AN ORDINANCE AMENDMENT removing the special use permit requirement for mobile grocery markets and a new definition for “mobile market”

Present in Support:

- ❖ Rob Richardson, AICP, Director of Planning, 701 North 7th Street, Suite 423, Kansas City, Kansas
- ❖ Matt Kleinmann, 906 Ford Avenue, Lawrence, Kansas – representing a large coalition of residents and non-profits
- ❖ There were four persons present in support that did not speak

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:40:52: Planning Director Richardson stated that a revised ordinance was distributed to the Commission this evening. The staff recommends approval of the revised ordinance submitted this evening.

Motion and Vote starts at 2:41:05:

On motion by Dr. Serda, seconded by Ms. Jones, the Planning Commission voted as follows to **recommend APPROVAL of this ordinance amendment:**

Carson Aye
Connelly Aye
Ernst Aye
Jones Aye
Miller Aye
Neal Aye
Reasons Aye
Serda Aye
Huey Chairman
Pauley Not Present

Motion to RECOMMEND APPROVAL Passed: 8 to 0



Staff Request for Commission Action

Tracking No. 18372

Full Commission Meeting Date: 9/27/18

Committee: Administration & Human Services

Date of Standing Committee Action: 9/17/18

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
09/21/2018	Alan Howze, Casey Meyer, Terry Brecheisen, Crystal Sprague	x8951, x2851, x6707, x2787	Alan, Casey, tbrecheisen@wycokc.org, csprague@wycokck.org	Technology

Item Description:

Seeking approval of an agreement between the Unified Government and Johnson County related to the use of myResource Connection, an application developed by Johnson County for improving coordination among social service providers.

Funding was approved in the amended 2018 budget and 2019 for the Unified Government to utilize Johnson County's MyResource Connection software. An interlocal agreement has been drafted.

Action Requested:

Approval of interlocal agreement.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS AND JOHNSON
COUNTY, KANSAS

Whereas, Johnson County, Kansas (“Johnson County”) and the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) are empowered by the laws of Kansas to enter into agreements pursuant to K.S.A. 12-2908;

Whereas, Johnson County and the Unified Government desire to enter into an Agreement between Johnson County and the Unified Government to provide data management, data sharing, and promote joint cooperation;

Whereas, an agreement has been prepared describing the parties’ cooperation and responsibilities regarding data management and data sharing between Johnson County and the Unified Government;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS: That the Mayor/CEO of the Unified Government of Wyandotte County/ Kansas City, Kansas is hereby authorized to execute said Agreement on behalf of the Unified Government, and the County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution are hereby authorized to take any action required and necessary to implement and satisfy the intent of said Agreement.

THIS RESOLUTION IS ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, this ____ of _____ 2018.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____
David Alvey
Mayor/Chief Executive

(SEAL)
ATTEST

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 18403

Full Commission Meeting Date: 9/27/18

Committee: Administration & Human Services

Date of Standing Committee Action: 9/17/18

(If none, please explain):

Publication Required: Yes

<u>Date:</u> 09/21/2018	<u>Contact Name:</u> Jeffrey Conway	<u>Contact Phone:</u>	<u>Contact Email:</u> Jeffrey	<u>Department/Division:</u> Legal
<u>Item Description:</u> Modifies the current ordinance for standing committee meeting times to clarify that: the Economic Development & Finance Committee would meet immediately after the earlier Neighborhood & Community Development Committee; and the Administration & Human Services Committee would meet immediately after the earlier Public Works & Safety Committee. If an earlier committee is not meeting that day, the later committee would move into the 5:00 pm slot for that day, submitted by Jeffrey Conway.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Ordinance change Appendix C				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to meeting times of standing committees; amending Appendix C, **Section 202** of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

**BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF
WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:**

Section 1. That Appendix C, **Section 202** of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby amended to read as follows:

Appendix C – UNIFIED GOVERNMENT COMMISSION RULES OF PROCEDURE

Sec. 202. – Standing committees created; meeting times.

There shall be four standing committees of the commission: (1) neighborhood and community development; (2) economic development and finance; (3) public works and safety; and (4) administration and human services;

- a. Standing committees shall meet at least monthly in a regular place determined by the respective standing committee chairperson;
- b. The neighborhood and community development committee shall meet on the Monday immediately preceding the first full commission meeting of each month at 5:00 p.m. and shall adjourn by 7:00 p.m. unless otherwise authorized by a majority vote of the standing committee members present;
- c. The economic development and finance committee shall meet on the Monday immediately preceding the first full commission meeting of each month at 7:00 p.m. at a time that is immediately upon adjournment of the neighborhood and community development committee or, if there is no such committee meeting that day, at 5:00 p.m., and shall adjourn by 9:00 p.m. unless otherwise authorized by a majority vote of the standing committee members present;
- d. The public works and safety committee shall meet on the Monday immediately preceding the second full commission meeting of each month (held on the third Thursday) at 5:00 p.m. and shall adjourn by 7:00 p.m. unless otherwise authorized by a majority vote of the standing committee members present;
- e. The administration and human services committee shall meet on the Monday immediately preceding the second full commission meeting of each month (held on the third Thursday) at 7:00 p.m. at a time that is immediately upon adjournment of the public works and safety committee or, if there is no such committee meeting that day,

at 5:00 p.m., and shall adjourn by 9:00 p.m. unless authorized by a majority vote of the standing committee members present;

- f. When the date of a regular standing committee falls on a legal holiday, the meeting shall be held at the discretion of the standing committee chairperson;
- g. Standing committee agenda items shall be assigned by the standing committee chairperson or the mayor, with the advice of the administrator, based upon subject matter and other factors deemed relevant by the mayor and the administrator; and
- h. In cases of conflicting committee agendas, the mayor shall make the final decision on committee assignments and committee agendas

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2018.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 18400

Full Commission Meeting Date: 9/27/18

Committee: Administration & Human Services

Date of Standing Committee Action: 9/17/18

(If none, please explain):

Publication Required: No

<u>Date:</u> 09/21/2018	<u>Contact Name:</u> Jeffrey Conway	<u>Contact Phone:</u>	<u>Contact Email:</u> Jeffrey	<u>Department/Division:</u> Legal
<u>Item Description:</u> Modifies the existing 2018-2020 schedule for standing committees to reflect that the start times for both the Economic Development & Finance and the Administration & Human Services committees would be moved up to immediately upon adjournment of the earlier committees. Clarifies that the later committee can start at 5:00 pm if the earlier committee is not meeting that day, submitted by Jeffrey Conway.				
<u>Action Requested:</u> To adopt a resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Meeting Time Resolution				

(Published_____)

RESOLUTION NO. _____

A RESOLUTION relating to the meeting times of the standing committees of the Unified Government Commission, amending the Unified Government Commission rules of procedure contained in Resolution No. R-1-18.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS:

Section 1. The attached schedule of Commission standing committee meeting times, established pursuant to the provisions of Section 3.07 of the Charter for the Unified Government of Wyandotte County/Kansas City, Kansas, and as set forth in Resolution No. R-1-18, is hereby amended.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2018.

Approved:

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

PROPOSED STANDING COMMITTEE MEETINGS
October 2018 - 2020

All Standing Committee meetings are scheduled the Monday prior to a full Commission meeting unless changed by the Chairperson of a committee, holiday, or for some other unforeseen reason. The meetings are held in the 5th Floor Conference Room of the Municipal Office Building.

N/CD - Neighborhood and Community Development
ED/F – Economic Development and Finance
PW/S – Public Works and Safety
A/HS – Administration and Human Services

Schedule for 2018 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>7:00 p.m. Immediately upon adjournment of earlier committee, or 5:00 p.m. if no earlier committee meeting.</u>
October 1	N/CD	ED/F
October 22	PW/S	A/HS
October 29	N/CD	ED/F
November 26	PW/S	A/HS
December 3	N/CD	ED/F
December 10	PW/S	A/HS

Schedule for 2019 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>7:00 p.m. Immediately upon adjournment of earlier committee, or 5:00 p.m. if no earlier committee meeting.</u>
January 14	N/CD	ED/F
January 28	PW/S	A/HS
February 4	N/CD	ED/F
February 25	PW/S	A/HS
March 4	N/CD	ED/F
March 18	PW/S	A/HS
April 1	N/CD	ED/F
April 22	PW/S	A/HS

April 29	N/CD	ED/F
May 20	PW/S	A/HS
June 3	N/CD	ED/F
June 17	PW/S	A/HS
July 8	N/CD	ED/F
July 29	PW/S	A/HS
August 19	N/CD	ED/F
August 26	PW/S	A/HS
September 9	N/CD	ED/F
September 23	PW/S	A/HS
September 30	N/CD	ED/F
October 21	PW/S	A/HS
October 28	N/CD	ED/F
November 18	PW/S	A/HS
December 2	N/CD	ED/F
December 9	PW/S	A/HS

Schedule for 2020 Standing Committees:

<u>Date</u>	<u>5:00 p.m.</u>	<u>7:00 p.m. Immediately upon adjournment of earlier committee, or 5:00 p.m. if no earlier committee meeting.</u>
Jan 21	N/CD	ED/F
Jan 27 (Tues)	PW/S	A/HS



Staff Request for Commission Action

Tracking No. 18402

Full Commission Meeting Date: 9/27/18

Committee: Administration & Human Services

Date of Standing Committee Action: 8/27/18, 9/17/18

(If none, please explain):

Publication Required: Yes

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
09/21/2018	Kathleen VonAchen, Patrick Waters	x5186, x5079	Kathleen, Patrick	Finance

Item Description:

A Charter Ordinance amending and replacing Charter Ordinance No. CO-03-08, relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members' terms, and the authority to contract, exempting the Unified Government from K.S.A. 12-1697(a) and K.S.A. 12-16,101.

Action Requested:

Approve

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Charter Ordinance Revision-TGT-AdminCommittee - redline, Charter Ordinance Revision-TGT-AdminCommittee - clean copy

CHARTER ORDINANCE NO. CO-__-18

A charter ordinance exempting the Unified Government of Wyandotte County/Kansas City, Kansas, from the provisions of K.S.A. 12-1697(a) relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent; providing substitute and additional provisions on the same subject; exempting the Unified Government from the provisions of K.S.A. 12-16,101, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members' terms, and the authority to contract; providing substitute and additional provisions on the same subjects; and repealing ~~Charter Ordinance No. 93 and Charter Ordinance No. CO-2-02-Charter Ordinance 03-08~~ of the Unified Government of Wyandotte County/Kansas City, Kansas,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. The Unified Government of Wyandotte County/Kansas City, Kansas, by the power vested in it by article 12, section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it the provisions of K.S.A. 12-16,101, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members' terms, and the authority to contract. Such statute is part of an enactment which is applicable to Kansas City, Kansas, but is not applicable uniformly to all cities. Substitute and additional provisions are found in the 1988 Code of Ordinances of the City of Kansas City, Kansas, Sections 2-401 through 2-403.

Section 2. The Unified Government of Wyandotte County/Kansas City, Kansas, by the power vested in it by article 12, section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it the provisions of paragraph (a) of K.S.A. 12-1697, relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent. K.S.A. 12-1697(a) is part of an enactment which is applicable to Kansas City, Kansas, but is not applicable uniformly to all cities. Substitute and additional provisions are enacted in this Charter Ordinance.

Section 3. In order to provide revenues to promote tourism, ~~and conventions, and economic development related to tourism, for the purpose of paying a portion of the principal and interest on bonds issued under K.S.A. 12-1774, and to finance the renovation of the Jack Reardon Civic Center and the construction and equipping of the adjacent hotel facility,~~ the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized to levy a transient guest tax at a rate not to exceed eight percent (8%), and does hereby levy a transient guest tax at the rate of eight percent (8%), upon the gross receipts derived from or paid directly or through an accommodations broker by transient guests for sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel, motel, transient accommodations, short-term rental, bed-and-breakfast or tourist court within the boundaries of the City of Kansas City, Kansas.

Section 4. ~~Of the All such~~ receipts derived from the transient guest tax, ~~74.375 percent~~ shall be placed in a Convention and Tourism Fund to be used for the promotion of conventions, ~~and the promotion of~~ tourism, and economic development related to tourism within Kansas City, Kansas. A minimum of One Million Fifty Thousand Dollars and NO/100 (\$1,050,000.00) of such

~~receipts shall be spent on the promotion of tourism on an annual basis. the Unified Government of Wyandotte County/Kansas, and 25.625 percent shall be placed in a reserve fund for promotion of downtown tourism development. Without regard of the percentage allocation specified herein, all of the transient guest tax revenues may be pledged by the Unified Government of Wyandotte County/Kansas City, Kansas to make payments on bonds issued for the renovation of Jack Reardon Civic Center and the construction and equipping of the adjacent hotel facility. In the event bonds are issued under K.S.A. 12-1774 for a redevelopment district, transient guest tax revenues from the redevelopment district may be pledged to pay such bonds.~~

Section 5. ~~That Charter Ordinance No. 93 and~~ Charter Ordinance No. C-03-08 C-2-02 of the Unified Government of Wyandotte County/Kansas City, Kansas, ~~be and the same are is~~ hereby repealed.

Section 6. This ordinance shall be published once each week for two consecutive weeks in The Wyandotte Echo.

Section 7. This is a Charter Ordinance and shall take effect 61 days after final publication, unless a petition signed by a number of electors within the City of Kansas City, Kansas, equal to not less than ten percent of the number of electors who voted at the last preceding regular election shall be filed in the office of the Unified Government Clerk demanding that this Charter Ordinance be submitted to a vote of the electors of the City of Kansas City, Kansas, in which event this Charter Ordinance shall take effect when approved by a majority of the electors of the City of Kansas City, Kansas, voting at an election held for such purpose.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT VOTING IN FAVOR THEREOF, THIS ____ DAY OF _____ 2018.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

CHARTER ORDINANCE NO. CO-__-18

A charter ordinance exempting the Unified Government of Wyandotte County/Kansas City, Kansas, from the provisions of K.S.A. 12-1697(a) relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent; providing substitute and additional provisions on the same subject; exempting the Unified Government from the provisions of K.S.A. 12-16,101, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members' terms, and the authority to contract; and repealing Charter Ordinance 03-08 of the Unified Government of Wyandotte County/Kansas City, Kansas,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. The Unified Government of Wyandotte County/Kansas City, Kansas, by the power vested in it by article 12, section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it the provisions of K.S.A. 12-16,101, relating to the establishment of a convention and tourism committee, its composition, the appointment of members, the length of members' terms, and the authority to contract. Such statute is part of an enactment which is applicable to Kansas City, Kansas, but is not applicable uniformly to all cities.

Section 2. The Unified Government of Wyandotte County/Kansas City, Kansas, by the power vested in it by article 12, section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it the provisions of paragraph (a) of K.S.A. 12-1697, relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent. K.S.A. 12-1697(a) is part of an enactment which is applicable to Kansas City, Kansas, but is not applicable uniformly to all cities. Substitute and additional provisions are enacted in this Charter Ordinance.

Section 3. In order to provide revenues to promote tourism, conventions, and economic development related to tourism, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized to levy a transient guest tax at a rate not to exceed eight percent (8%), and does hereby levy a transient guest tax at the rate of eight percent (8%), upon the gross receipts derived from or paid directly or through an accommodations broker by transient guests for sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel, motel, transient accommodations, short-term rental, bed-and-breakfast or tourist court within the boundaries of the City of Kansas City, Kansas.

Section 4. All such receipts derived from the transient guest tax shall be placed in a Convention and Tourism Fund to be used for the promotion of conventions, the promotion of tourism, and economic development related to tourism within Kansas City, Kansas. A minimum of One Million Fifty Thousand Dollars and NO/100 (\$1,050,000.00) of such receipts shall be spent on the promotion of tourism on an annual basis.

Section 5. Charter Ordinance No. C-03-08 of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby repealed.

Section 6. This ordinance shall be published once each week for two consecutive weeks in The Wyandotte Echo.

Section 7. This is a Charter Ordinance and shall take effect 61 days after final publication, unless a petition signed by a number of electors within the City of Kansas City, Kansas, equal to not less than ten percent of the number of electors who voted at the last preceding regular election shall be filed in the office of the Unified Government Clerk demanding that this Charter Ordinance be submitted to a vote of the electors of the City of Kansas City, Kansas, in which event this Charter Ordinance shall take effect when approved by a majority of the electors of the City of Kansas City, Kansas, voting at an election held for such purpose.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT VOTING IN FAVOR THEREOF, THIS ____ DAY OF _____ 2018.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

18439



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

September 19, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: LEGACY PARK ESTATES

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of LEGACY PARK ESTATES located along 65th and Riverview, being developed by Belmont Development Company LLC.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, PS., CPM
County Surveyor

Troy Shaw, P.E.
County Engineer

FILED
SEP 21 2018
UNIFIED GOVERNMENT CLERK

Attachments

**FINAL PLAT OF
LEGACY PARK ESTATES**
A SUBDIVISION OF LAND IN THE
SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 11 S., RANGE 24 E.,
IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS

DEDICATION: THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREIN HAS/HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT AND THE PROPERTY SHALL HEREINAFTER BE KNOWN AS "LEGACY PARK ESTATES".

EASEMENTS: AN EASEMENT IS HEREBY GRANTED TO THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, AND ALL PUBLIC UTILITY COMPANIES DULY LICENSED TO DO BUSINESS IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS TO ENTER UPON, CONSTRUCT AND MAINTAIN, OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE OF POLES, WIRES, ANCHORS, CONDUITS, AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, STORM SEWER, ELECTRICITY, TELEPHONE, CABLE TELEVISION, OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICES, ANY OR ALL OF THEM, UPON, OVER, OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "UTILITY EASEMENTS" (U.E.), AND STORM SEWER, OR STORM WATER CONVEYANCE CHANNELS UPON, OVER, OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "DRAINAGE EASEMENT" (D.E.).

THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HEREBY CONSENT AND AGREE THAT THE GOVERNING BODY OF ANY SPECIAL ASSESSMENT DISTRICT SHALL HAVE THE POWER TO RELEASE LAND HEREIN BEFORE DEDICATED FOR STREETS AND PUBLIC WAYS, OR PARTS THEREOF FOR PUBLIC USE, FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENT SHALL BE REAPPORTIONED.

STREETS: ROADS AND STREETS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE AS THOROUGHFARES ARE HEREBY SO DEDICATED. ALL LOTS SHALL BE ACCESSIBLE FROM 64TH AVENUE OR MAYA COURT. ALL EASEMENTS RIGHTS TO ANY PERSON, UTILITY OR CORPORATION ARE HEREBY ABSOLVED ON THE PARCELS TO BE DEDICATED FOR PUBLIC USE. PERSONS, UTILITY OR CORPORATION SHALL RETAIN WHATEVER RIGHTS THEY WOULD HAVE AS IF LOCATED IN A PUBLIC STREET.

BUILDING/SETBACK LINES: BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT-OF-WAY LINE. FRONT BUILDING LINES OR SETBACK LINES SHALL BE 25 FEET, REAR YARD SETBACK SHALL BE 30 FEET AND SIDE YARD SETBACK SHALL BE 7.5 FEET.

SIGHT TRIANGLES: NO FENCE, WALK, ENTRANCE MARKER, SIGN, HEDGE, SHRUB PLANTING OR TREE FOLIAGE WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 FEET AND 8 FEET ABOVE ROADWAYS SHALL BE LOCATED ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE RIGHT-OF-WAY LINES AND A LINE CONNECTING THEM AT 25 FEET FROM THEIR POINT OF INTERSECTION.

COMMON AREA: TRACTS "A" & "B" ARE COMMON AREAS TO BE OWNED AND MAINTAINED BY THE LEGACY PARK ESTATES HOMES ASSOCIATION. DURING THE PERIOD IN WHICH THE DEVELOPER MAINTAINS EFFECTIVE CONTROL OF THE BOARD OF THE PROPERTY OWNERS' ASSOCIATION, THE DEVELOPER SHALL REMAIN JOINTLY AND SEVERALLY LIABLE FOR THE MAINTENANCE OBLIGATIONS OF THE PROPERTY OWNERS' ASSOCIATION.

ACCESS & MAINTENANCE EASEMENT: AN EASEMENT IS RESERVED AND TO BE OWNED BY THE LEGACY PARK ESTATES HOMES ASSOCIATION FOR THE INSPECTION, MAINTENANCE, AND REPAIR OF THE RETAINING WALLS ESTABLISHED ON THIS PROPERTY UPON, OVER, OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "ACCESS & MAINTENANCE EASEMENT" (A&M/E). DURING THE PERIOD IN WHICH THE DEVELOPER MAINTAINS EFFECTIVE CONTROL OF THE BOARD OF THE PROPERTY OWNERS' ASSOCIATION, THE DEVELOPER SHALL REMAIN JOINTLY AND SEVERALLY LIABLE FOR THE MAINTENANCE OBLIGATIONS OF THE PROPERTY OWNERS' ASSOCIATION.

BY: BELMONT DEVELOPMENT COMPANY, LLC,
A FLORIDA LIMITED LIABILITY COMPANY

BY: [Signature]
MANAGER

STATE OF Oklahoma, COUNTY OF Oklahoma, SS

BE IT REMEMBERED THAT ON THIS 10th DAY OF August, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME Belmont Development Company, LLC TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF I HAVE HEREIN SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC [Signature] MY APPOINTMENT EXPIRES: September

THIS PLAT OF "LEGACY PARK ESTATES" HAS BEEN SUBMITTED TO AND APPROVED BY THE WYANDOTTE COUNTY/KANSAS CITY, KANSAS PLANNING COMMISSION.

DATED THIS 11th DAY OF June, 2018.

WYANDOTTE COUNTY/KANSAS CITY, KANSAS PLANNING COMMISSION

_____, CHAIRMAN

[Signature], SECRETARY

ROBIN H. RICHARDSON, ACP

THE DEDICATIONS SHOWN HEREON, IF ANY, ARE ACCEPTED THIS _____ DAY OF _____, 2018

_____, MAYOR

_____, UNIFIED CLERK

BRIDGETTE D. COBBINS

RECOMMENDED FOR APPROVAL BY THE WYANDOTTE COUNTY/KANSAS CITY, KANSAS, ENGINEER, THIS 19 DAY OF September, 2018.

[Signature], COUNTY ENGINEER

THIS SURVEY HAS BEEN REVIEWED FOR FILING, PURSUANT TO KSA 58-2003, 58-2005, AND 58-2011 FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THOSE PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY: [Signature] DATE: 9-19-18
BRENTLE THOMPSON, PLS KKS 1277 COUNTY SURVEYOR

STATE OF KANSAS, COUNTY OF WYANDOTTE, SS:

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE, ON THIS _____ DAY OF _____, 2018, AT _____ O'CLOCK AND IS DULY RECORDED

REGISTER OF DEEDS NANCY BURNS

DEPUTY SUSIE NELSON

DESCRIPTION: THAT CERTAIN TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2017R-08547 IN THE OFFICE OF THE REGISTER OF DEEDS, WYANDOTTE COUNTY, KANSAS, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 11 SOUTH, RANGE 24 EAST, WYANDOTTE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, AFORESAID, RUN THENCE SOUTH 87°21'05" WEST, ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 837.98 FEET, TO THE SOUTHEAST CORNER OF THE WEST 15 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 02°05'01" WEST, ALONG THE EAST LINE OF SAID WEST 15 ACRES, 20.00 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF RIVERVIEW AVENUE, AS NOW LOCATED, AND USING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 87°21'05" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 185.92 FEET; THENCE NORTH 2°30'13" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 10.00 FEET; THENCE SOUTH 87°21'05" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 242.01 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 90°33'54", AND AN ARC LENGTH OF 55.32 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N. 65TH STREET; AS NOW LOCATED; THENCE NORTH 2°05'01" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 531.24 FEET; THENCE NORTH 87°54'58" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 20.00 FEET; THENCE NORTH 00°41'50" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 515.31 FEET; THENCE NORTH 18°29'32" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 100.11 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 70; THENCE SOUTH 88°03'18" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 383.58 FEET, TO A POINT ON THE EAST LINE OF SAID WEST 15 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 02°05'01" EAST, ALONG SAID EAST LINE OF THE WEST 15 ACRES, 1165.79 FEET, TO THE POINT OF BEGINNING. CONTAINS 11.93 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

RECORD TITLE AND EASEMENT INFORMATION HAVE BEEN PROVIDED BY CONTINENTAL TITLE COMPANY, FILE NUMBER 18207791, DATED MAY 26, 2017 AT 8:00 AM.

BEARINGS SHOWN ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE, ORIGINATING FROM NGS MONUMENT DESIGNATED WY 41, WITH A COMBINED SCALE FACTOR OF 0.999992956.

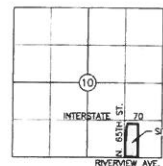
TOTAL AREA: 11.93 ACRES, DESCRIPTION CLOSURE: N 0.0004, E 0.0000, PERIMETER 3209.28', PRECISION 1:8,023,150. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE CITY OF KANSAS CITY, COMMUNITY NO. 200363, WYANDOTTE COUNTY, KANSAS, PANEL NO. 20209C0151E, DATED SEPTEMBER 2, 2015.

ALL REAR LOT CORNERS WILL BE SET WITH SEMI-PERMANENT MONUMENTS AND CURBS WILL BE NOTCHED AT THE EXTENSION OF LOT LINES UPON COMPLETION OF CONSTRUCTION OF THIS SUBDIVISION.

ALL LOTS, PARCELS AND PROPERTIES IN THIS SUBDIVISION SHALL BE SUBJECT TO THE DECLARATION OF RESTRICTIONS FOR LEGACY PARK ESTATES AS FILED IN THE OFFICE OF THE REGISTER OF DEEDS IN WYANDOTTE COUNTY, KANSAS.

ALL STORM WATER CONVEYANCE TO BE LOCATED ON COMMON PROPERTY SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE "COVENANTS, CONDITIONS, AND RESTRICTIONS" REFER TO THE "COVENANTS, CONDITIONS, AND RESTRICTIONS" ASSOCIATED WITH THIS DEVELOPMENT FOR REQUIREMENTS.

THE BOUNDARY SURVEY FIELDWORK WAS COMPLETED MARCH 23, 2018.



LOCATION MAP
SECTION 10, TOWNSHIP 11S, RANGE 24E
WYANDOTTE COUNTY, KANSAS
SCALE: 1" = 2000'

I HEREBY CERTIFY THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF KANSAS, AND THAT TO THE BEST OF MY KNOWLEDGE THIS SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND THAT SAID SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION.
SCOTT G. CHRISTMAN, KANSAS P.L.S. NO. 1306
ANDERSON ENGINEERING, INC.
106 E. PEARL STREET
HARRISONVILLE, MO 64701
918-380-4871

FOR BELMONT DEVELOPMENT COMPANY LLC

ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
106 E. PEARL STREET, HARRISONVILLE, MISSOURI 64701 • PHONE (918) 380-4871
KANSAS C.O. OF A.P.S. (RENEWAL DATE: SEPTEMBER 3, 2018)

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
10	11 S	24 E	WYANDOTTE	KANSAS	4/13/18	70047-17

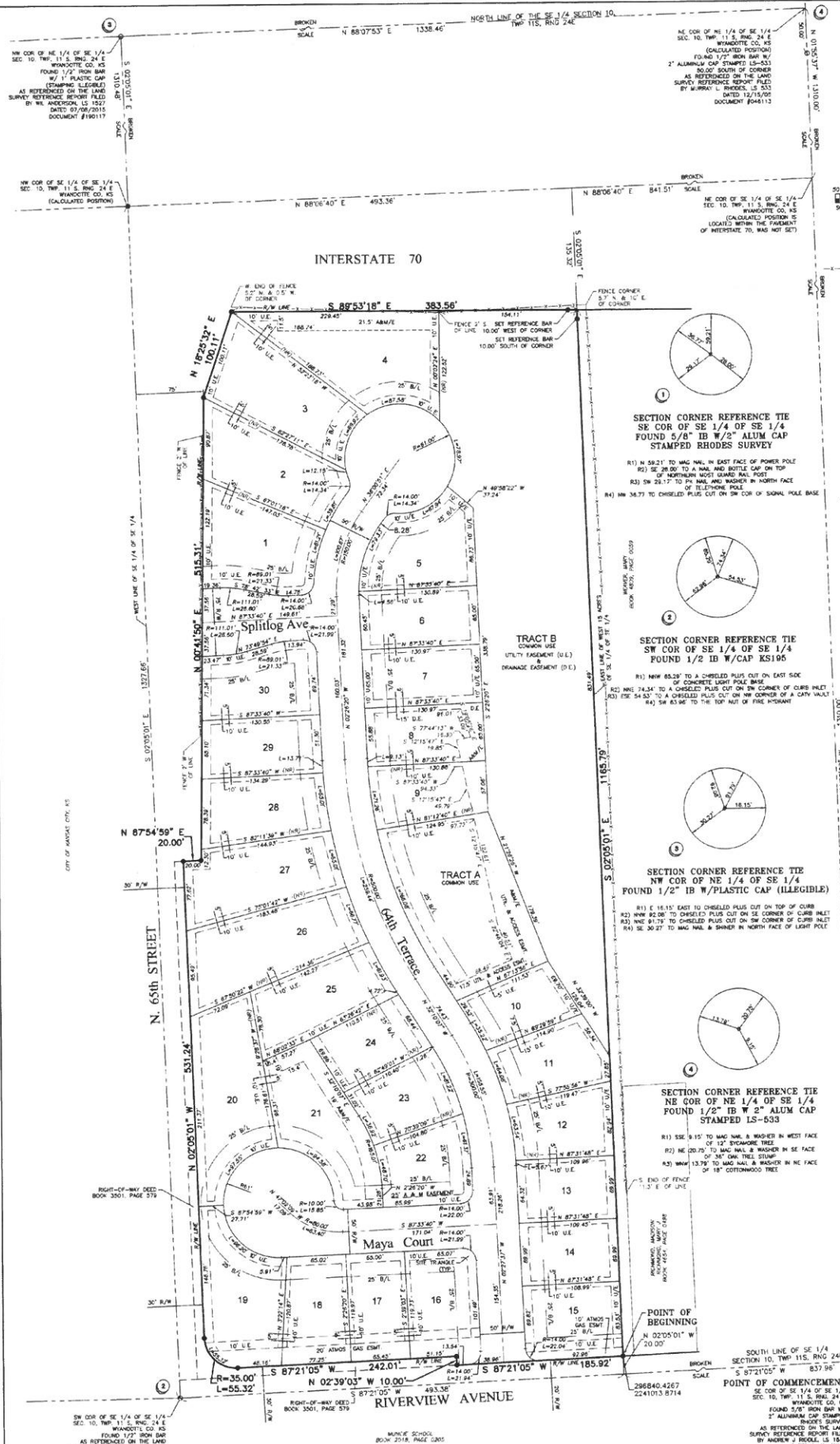
DRAWING NO. 70047 FINAL PLAT DRAWN BY: TSB CHECKED BY: SDC



SCOTT G. CHRISTMAN
PROFESSIONAL LAND SURVEYOR
KS PLS 1306

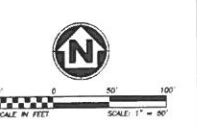
OWNERS/DEVELOPERS:
BELMONT DEVELOPMENT COMPANY LLC
222 EAST MAIN STREET
OKLAHOMA CITY, OK 73104
PHONE: 405-504-5074

SURVEYOR:
ANDERSON ENGINEERING, INC.
106 E. PEARL STREET
HARRISONVILLE, MO 64701
PHONE: 918-380-4871

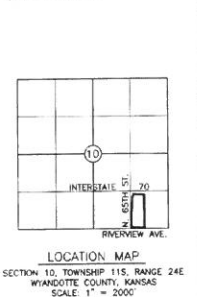


OWNERS/DEVELOPERS:
 BELMONT DEVELOPMENT COMPANY, LLC
 222 EAST MAIN STREET
 OKLAHOMA CITY, OK 73104
 PHONE: 405-504-5274

SURVEYOR:
 ANDERSON ENGINEERING, INC.
 108 E. PEARL STREET
 HARRISONVILLE, MO 64701
 PHONE: 816-380-4221



LEGEND:
 O = FOUND MONUMENT AS NOTED
 ● = SET 5/8" x 24" IRON BAR WITH 2" ALUMINUM CAP STAMPED AS INC. 4-17
 --- = EXISTING FENCE LINE
 (N) = NON-RADIAL LINE



LOT AREA TABLE

LOT	AREA (SF)	AREA (AC)
1	16526	0.38
2	16762	0.38
3	15225	0.35
4	9416	0.22
5	10503	0.24
6	8512	0.20
7	8513	0.20
8	8512	0.20
9	8243	0.19
10	7449	0.17
11	8794	0.20
12	8277	0.19
13	7674	0.18
14	7642	0.18
15	9055	0.21
16	9625	0.22
17	7617	0.18
18	8543	0.20
19	12990	0.30
20	15497	0.36
21	13668	0.31
22	8598	0.20
23	8113	0.19
24	7595	0.17
25	11110	0.26
26	15645	0.36
27	12927	0.30
28	9920	0.23
29	8603	0.20
30	9925	0.23
A	24059	0.55
B	93309	2.14

**FINAL PLAT OF
 LEGACY PARK ESTATES**
 A SUBDIVISION OF LAND IN THE
 SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
 SECTION 10, TOWNSHIP 11 S, RANGE 24 E,
 IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS

SHEET NUMBER
 2 OF 2

I HEREBY CERTIFY THAT I AM A FULLY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF KANSAS, AND THAT THE BEST OF MY KNOWLEDGE THIS SURVEY MEETS THE REQUIREMENTS OF THE KANSAS SURVEYING ACT, AND THAT THE SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION OR THAT I AM A PARTIAL SURVEYOR.

ANDERSON ENGINEERING, INC.
 108 E. PEARL STREET
 HARRISONVILLE, MO 64701
 (816) 380-4221

FOR BELMONT DEVELOPMENT COMPANY, LLC

ANDERSON ENGINEERING
 EMPLOYEE OWNED

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
 108 E. PEARL STREET • HARRISONVILLE, MISSOURI 64701 • PHONE (816) 380-4221
 KANSAS: C-1047 (RENEWAL DATE: DECEMBER 31, 2021)

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
10	11 S	24 E	WYANDOTTE	KANSAS	4/13/18	70047-17

DRAWING NO. 70047 FINAL PLAT DRAWN BY: TSB CHECKED BY: SCS

SEAL OF THE SURVEYOR
 ANDERSON ENGINEERING, INC.
 108 E. PEARL STREET
 HARRISONVILLE, MO 64701
 (816) 380-4221

18440



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

September 19, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: HOWARD'S HOMESTEAD

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of HOWARD'S HOMESTEAD located along 131ST and Leavenworth Road, being developed by the Miller Family.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, PS., CPM
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED *cg*
SEP 21 2018
UNIFIED GOVERNMENT CLERK

18441



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

September 19, 2018

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for: WYANDOTTE CITY, A REPLAT OF PART OF
BLOCK 159

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of WYANDOTTE CITY, A REPLAT OF PART OF BLOCK 159, located at 7TH and Barnett Avenue, being developed by the Unified Government of Kansas City, Wyandotte County, Kansas.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, PS., CPM
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED 
SEP 21 2018
UNIFIED GOVERNMENT CLERK

DEDICATION:

[illegible]

IN TESTIMONY WHEREOF,
I, an undersigned owner of WYANDOTTE CITY, A REPLAT OF PART OF BLOCK 159, have set our
hands this _____ day of _____, 2018.
David Alvey will be signing on behalf of the United Government

DAVID ALVREY, MAYOR/CEO

BRIDGETTE CORRIGNS, CLERK

NOTARY CERTIFICATE:
State of Kansas, County of _____, SS

I, the undersigned, do hereby certify that _____ day of _____
2018, before me, a notary public in
and for said County and State, came _____
personally known to be the same person who executed the foregoing instrument of writing, and
duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand
and affixed my seal and the date and hour above written.

My Commission Expires: _____ (month)

APPROVALS
This plan of _____ has been submitted and approved by the
United Government of Wyandotte County/Kansas City, Kansas.
Dated this 14th day of May 2018.
Kansas City, Kansas Planning Commission

By James Huey Chairman

By James Huey Secretary

COUNTY ENGINEER'S APPROVAL:
Recommended for approval by the County Engineer,
This 17 day of September, 2018.
TCS
County Engineer

COUNTY SURVEYOR APPROVAL:
This survey has been reviewed for filing, pursuant to KSA 58-2003, 58-2005, and 58-2011, for content only and is in compliance with those provisions. No other warranties are extended or implied.

Reviewed by [Signature] Date: 9-19-18

State of KANSAS) SS
County of WYANDOTT

This is to certify that this instrument was filed for record in the Register of Deeds office on this _____ day of _____, 20____ at _____ o'clock

Nancy Burns, Register of Deeds

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The dedications shown hereon, if any, are accepted by the Commissioners of the United Government of Wyandotte County/Kansas City, Kansas this _____ day of _____, 20____.

_____, U.G. Manager/CEO

(Seal) _____ U.G. Client _____

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the month of March 2018 and this map or plat is correct to the best of my knowledge.

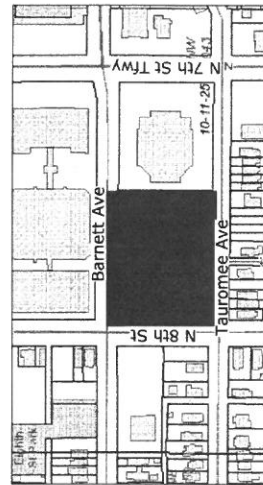
Prepared For:
TREATOR ARCHITECTS
1501 W 6TH ST
LAWRENCE, KS 66044
Date of Preparation:
MARCH 16, 2018

FINAL DI AT

WINNABOTTE CITY A PART OF BLOCK 450

ATLAS SURVEYORS

202 South 8th Street | Minneapolis, MN 55408 | 612.467.2200 | www.800.org



- NOTES:
1. ALL DISTANCE SHOWN HEREON ARE IN FEET.
2. BASIS OF BEARING: KANSAS STATE PLAT NORTH ZONE, MAG 83
3. BEARING AND DISTANCES WITHIN FLOOD ZONE, ACCORDING TO FLOOD MAPS AND INTERFERENCES, UNITED FLOOD INSURANCE ACT OF 1968, ARE NOT NECESSARILY GUARANTEED, AS NO BASE ELEVATION DETERMINED.
4. ZONING: s-1(B).
5. CITY: WYANDOTT, KANSAS. DOES NOT REPRESENT WARRANTY OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF THE APPLICANT, INCLUDING AND SURVEY INSTRUMENTS, ARE ACCURATE, COMPLETE, CORRECT, AND UP-TO-DATE. FRONT YARD, PARTIALLY ACCURATE, AND COMPACT THIRD PARTY AS BEING WHOLLY OR SUBSTANTIALLY CORRECT.
6. FRONT YARD SETBACKS TO BE 25 FEET. SIDE YARD INTERIOR SETBACKS ARE TO BE 10' OF LOT WIDTH NOT LESS THAN 3 FEET. SIDE YARD CORNER SETBACKS ARE TO BE 10' OF LOT WIDTH NOT LESS THAN 3 FEET. REAR SIDE AND REAR SETBACK DISTANCES FOR RESIDENTIAL AND ACCESSORY STRUCTURES.
7. THIS SURVEY WAS DONE ON THIS SURVEY.
8. ALL ALLEYS TO BE VACATED WITH THIS PLOT.

LEGEND:

●	FOUND PROPERTY CORNER AS NOTED
○	SET PROPERTY CORNER 1/2" IRON BAR WITH CAP I.S. 1408

RESTRICTIONS:
1.1) All proposed structures within this plat shall comply with the Wyandotte County Zoning and Subdivision Regulations or zoning regulation jurisdiction.



Staff Request for Commission Action

Tracking No. 18422

Full Commission Meeting Date: 9/27/2018

Committee:

Date of Standing Committee Action: NA
(If none, please explain):

Publication Required: No

<u>Date:</u> 09/19/2018	<u>Contact Name:</u> Emerick Cross	<u>Contact Phone:</u> x6784	<u>Contact Email:</u> ecross@wycokck.org	<u>Department/Division:</u> Commission Liaison
<u>Item Description:</u> Nomination for B & C: Law Enforcement Advisory Board, Jonas Cruz, 9/27/2018-6/30/2022, submitted by Commissioner Murguia				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, THURSDAY, AUGUST 30, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, August 30, 2018, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District (arrived at 5:30 p.m.); McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District (arrived at 5:05 p.m.); Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Walters, Commissioner Seventh District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Joe Connor, Assistant County Administrator; Emerick Cross, Commissioner Liaison; Terry Brecheisen, Health Department Director; Juliann Van Liew; Health Department; Maureen Mahoney, Chief of Staff in Mayor's Office; and Officer Doleshal, Sergeant-at-Arms.

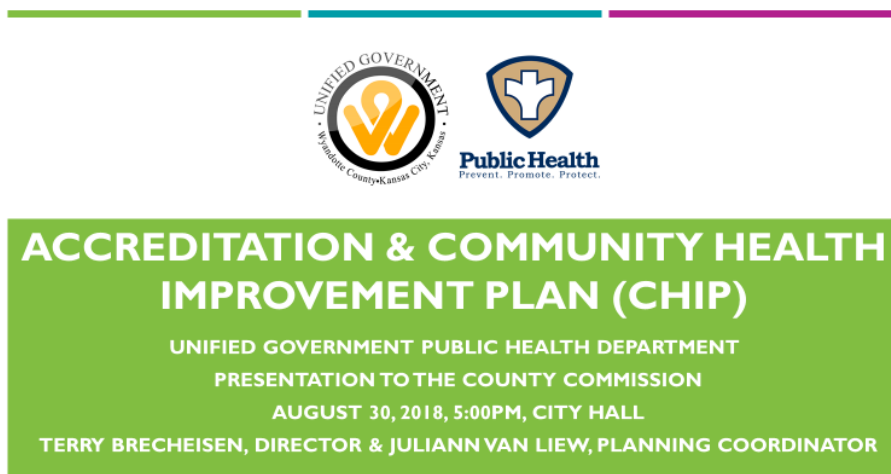
MAYOR ALVEY called the meeting to order.

ROLL CALL: Markley, Philbrook, Bynum, Burroughs, McKiernan, Murguia, Kane, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, August 30, 2018, at 5:00 p.m. in the 5th floor conference regarding the Community Health Improvement Plan. Immediately following, the Commission will reconvene to the 9th floor conference room for an executive session for an update on litigation.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Doug Bach, County Administrator, said tonight's presentation is being led by the Health Department, our Director of Health. Terry Brecheisen is here, and I will turn it over to him and he can introduce his team and present the presentation tonight.



Terry Brecheisen, Director of Public Health, said four down from me is Juliann Van Liew. I want to introduce her. She is our Program Coordinator for the Health Improvement Planning Section of the Health Department and she is our Leader/Coordinator of our Accreditation efforts and she is the leader of the Community Health Improvement Plan which coordinates all this stuff we're going to tell you this evening. I'm going to turn the microphone over to Juliann at this time to lead the presentation.

Juliann Van Liew, Program Coordinator the Health Improvement Planning Section of the Health Department; said I am really excited to be here. The Health Department has been undergoing incredible change and doing some impressive and important work over the past couple of years both internally and externally with our community partners.

Today I'm going to talk briefly about accreditation, but most of the time we're going to be talking about the CHIP or the Community Health Improvement Plan.

PURPOSE & OBJECTIVES

Public Health Department Accreditation

- Review accreditation, requirements, and timeline
- Understand the Commission's involvement in accreditation

Community Health Improvement Plan

- Review the process, partners, and strategies
- Consider adoption

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We will go through accreditation, it's requirements and timeline, because we had some requests of the Commission in that regard. Then, we will go through the CHIP in terms of the process, partners, and strategies and ask you to consider, at a later date, adopting this as our Community Health Improvement Plan.

SOCIAL DETERMINANTS OF HEALTH

OUTCOMES

- Child mortality (deaths per 100,000)
 - Black: 110
 - White: 60
- Diabetes: 13% (10%)
- Poor or Fair Health: 21% (15%)
- Life expectancy: 75.7 (78.3)
- HIV prevalence: 378 (119)

FACTORS

- Food insecurity: 18% (14%)
- Adult smoking: 23% (18%)
- Uninsured adults: 28% (17%)
- High school graduation: 72% (85%)
- Children in poverty: 35% (18%)
- Violent crimes: 592 (360)
- Severe housing problems: 21% (13%)
- Primary Care Physicians: 2,360:1 (1,330:1)

3

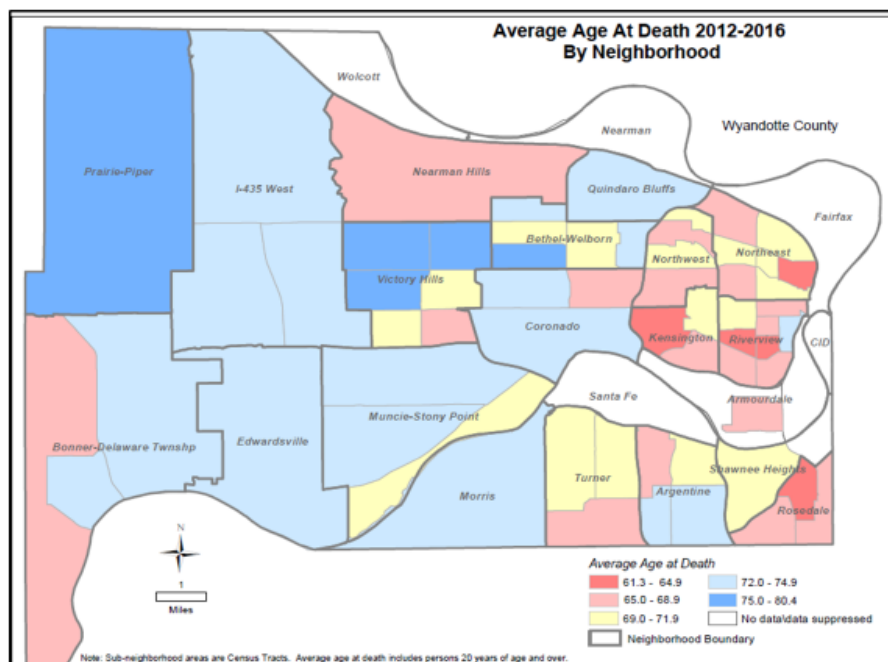
I know everyone in this room is most likely familiar with the concept of Social Determinants of Health. This is not something that's new, but I think it's appropriate to at least make sure we all have a baseline understanding as we kind of delve into this conversation.

The last column here if you're familiar with the County Health rankings, these will look familiar to you. The numbers in parenthesis are the Kansas rates and the other ones are ours in Wyandotte County. It's not surprising we have higher rates of diabetes, we have lower life

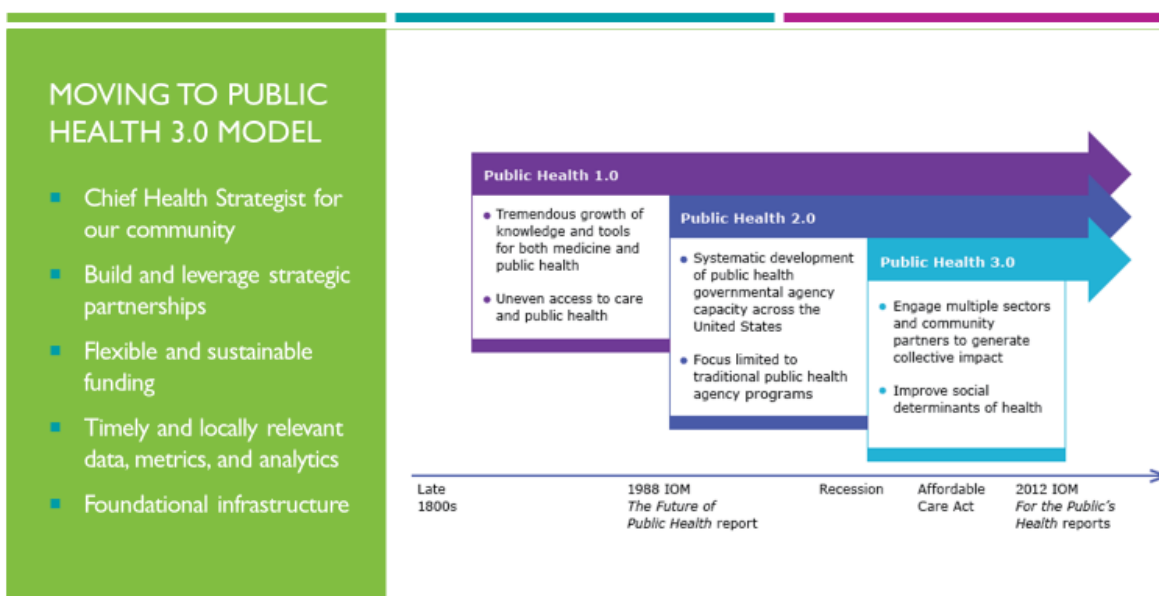
August 30, 2018

expectancy, more of our residents report poor or fair health than at the state level, etc. This isn't news to you, but what I want to focus on is the factors here that we've listed are not generally speaking health specific factors. We're talking about having higher rates of food insecurity, of being uninsured, we have lower rates of high school graduation, we have significantly higher rates of childhood poverty, etc.

I want us to be on this same page because I'm about to dive into some topics toward the second half of this presentation that are oftentimes thought about outside the realm of health and so we're going to be talking about jobs and about housing and about violence. These are factors that actually are much more important in terms of our health outcomes than we've ever previously realized.



The last thing before we dive in is, for me, this map really tells it all. This is the average age at death by neighborhood in our county and it really shows the disparities here. What I want you to take away from this slide is that place matters. So, our community matters, the build environment matters. I know that you know this, but the policies in the systems that we create as a community really impact our health outcomes.



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Because of the better understanding we have nationally and globally of the social determinants of health and their role in health outcome, public health has shifted dramatically over the last century, two centuries. So, there was originally a Public Health what's now called 1.0 model. In the mid 1800's to mid-1900's it was really this focus on vaccination and air quality and sanitation; really important improvements, but they segwayed in the mid 1900's to a Public Health 2.0 model where they really realized that some populations are at higher risk for adverse health outcomes than others, so the AIDS epidemic really pushed that.

The point here is that we're now into a Public Health 3.0 model and we, as the Health Department, don't get to just work on vaccinations and air quality. It is now our work as a Health Department to act as a Chief Health Strategist in our community to be doing the data, to be bringing those analogies to our community to make sure that it's informing our work, to be bringing partners together, to be creating health plans that we work together with those partners in order to affect change.

ACCREDITATION: "THE MEASUREMENT OF HEALTH DEPARTMENT PERFORMANCE AGAINST A SET OF NATIONALLY RECOGNIZED, PRACTICE-FOCUSED AND EVIDENCED-BASED STANDARDS."

- ASSESS
- INVESTIGATE
- INFORM & EDUCATE
- COMMUNITY ENGAGEMENT
- POLICIES & PLANS
- PUBLIC HEALTH LAWS
- ACCESS TO CARE
- WORKFORCE
- QUALITY IMPROVEMENT
- EVIDENCE-BASED PRACTICES
- ADMINISTRATION & MANAGEMENT
- GOVERNANCE

In order to fully move towards this Public Health 3.0 model, we are seeking accreditation as a Health Department. Accreditation as a Health Department is not required. We are currently functioning without being accredited. That is fine, but what accreditation does for a Health Department is make sure that you are continually moving towards a culture of quality improvement. It's about getting better as a Health Department across all of our divisions. The green box here, you can see some of the areas that accreditation requires we work on.

There are 12 different domains. There are 212 specific standards of measures that I get to make sure that we can document that we are meeting. It's very broad. It's a tremendous amount of work and it's something the Health Department is undergoing. I think it's important that everybody is aware of this work and how the Health Department is evolving.

Accreditation Timeline



Before we dive into the CHIP, I wanted to briefly show you where we've come and where we're heading. Like I mentioned, we started this work a couple years ago. We vastly improved our quality improvement, we did a Community Health Assessments, we participated in strategic planning. This year alone, we've fully implemented a successful Performance Management System, we've completed a Workforce Development Plan, the CHIP will be published in a couple of weeks. Next year we have a little more planning to do and we will be applying for accreditation next July. We will circle back to this at the end when I make an ask for the Commission, but we will be looking for some involvement in terms of accreditation and specifically in terms of our site visits.

Mayor Alvey asked could you explain, go back, the Health in all Policies work. What is that?

Ms. Van Liew said accreditation requires that Health Departments get intimately involved in policy at the local and somewhat at the State level as well. There are several domains in accreditation that we are currently not meeting. In my opinion, we are not providing you with health impact assessments for example, on many things. For example, the Northeast Area Master Plan process is happening right now and if we were in line with accreditation, we would be more intimately involved in that work in making sure that health impacts, so those sorts of plans are taken into consideration. It's kind of the jargon in the field. They call it Health in all Policies but it's really making sure that when you consider like a transportation initiative, for example, you're looking at it from a health lens. When we're talking about zoning, we're talking about dislocation of families, we're looking at it with a health lens.

Mayor Alvey said what you're really saying is there work to be done on this factor of Health in all Policies. **Ms. Van Liew** said absolutely. **Mayor Alvey** said that's what you mean by the work. **Ms. Van Liew** said we intend to enter this field much more robustly at the Health Department. Really, it's about us providing you guys with the information that you need in a timely manner to make sound decisions that relate to health.

WYANDOTTE COUNTY
COMMUNITY HEALTH ASSESSMENT
(CHA) & COMMUNITY HEALTH
IMPROVEMENT PLAN (CHIP)

**"There is nothing 'natural' about
today's community health landscape
or the challenges it presents."**

—Health Equity Action Transformation (H.E.A.T.) report,
Community Health Council of Wyandotte County

That brings us to the CHIP. You saw on that slide CHIP is part of accreditation and so we are required as the Health Department, every five years to take the community through an assessment and a planning process. This is our first time doing it. I do want to note though that because—this is an accreditation requirement, but it's not our only motive. We all know that we have four outcomes and it's time that we collectively work on them through this plan.

You probably read the H.E.A.T Report that came out from the Community Health Council, but this is my favorite quote from it and it's something and it's something that I like to use in these presentations. It says, "There is nothing natural about today's community health landscape or the challenges it presents." So, that's the lens we use as we approach this assessment

and planning process. It's scary and it's challenging, but it also means we have an opportunity to affect this landscape and to affect health change.



Our Community Health Assessment process was about an 18-month process. It includes these four major areas that I will just briefly cover. It was led by KU Center for Community Health & Development. We contracted with them and very importantly the Wyandotte Health Foundation funded that work.

These portions of the Community Health Assessment, the Local Public Health Systems Assessment looks at what clinics are available in our community, what hospitals, what's the Health Department doing, do we have health infrastructure.

The Concerns Survey was a paper and electronic survey that 2,300 residents filled out across our county. We're very proud of that because it was actually demographically representative of our folks, so we had representation of all diverse community which is a big deal and difficult to do in survey work.

We did our Community Health Status Assessment. This is really looking at those county health rankings at the Behavioral Risk Factor Surveillance Survey, America Community Survey. All of these big national metrics that folks use to determine whether or not our community is healthy.

Lastly, we held focus groups of more than 50 residents not involved in organizations, but just residents to really get some of that narrative and that qualitative understanding of what they feel are the barriers to being healthy in their community.



Out of this long assessment process, four priority areas rose to the top and were identified by our community as the areas that we need to work on if we we're going to affect health. These are health access. This includes clinical and preventive care but also behavioral health and dental care, housing which involves both access to affordable housing as well as safe housing. Jobs and education which covers everything from having a place to take your child to child care to being able to get there. It's a pretty vast realm which is new to me, but Greg will talk to us about in a moment and violence prevention.

I want to note this arrow down at the bottom that reads poverty, discrimination, adverse childhood experiences; these are what in the CHIP Steering Committee and our CHIP Action Teams, we refer to as the three lenses. These three things came up over and over again in the Community Health Assessment and the Planning Process as very, very important. It's difficult to pull discrimination out and create an action team around it, but what we can do is we can approach all four of these areas considering discrimination. So, if we're considering access to housing we can use a discrimination lens and make sure our strategies are addressing discrimination as a part of that work. We want to make sure that folks understand these were taken into account.

CHIP PLANNING COMMITTEES

- Nonprofit and service organizations
- Foundations
- Clinical systems
- Private businesses
- Local residents
- Unified Government (Health, Knowledge, Police, Economic Development, Livable Neighborhoods, Public Works, Transportation, County Commissioners)

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When the priority areas were identified we moved into planning and we created a Planning Team essentially for each of those four areas. Those Planning Teams we worked hard to make sure they were pretty diverse. They involved all sorts of representation. The Unified Government was out in full force which we love, but also private businesses, our clinical partners, our foundations were present. We held more than 50 planning meetings over the last year and more than 97 organizations participated. That is pretty incredible. I've read a lot of CHIP's in my last year and most of them list 20-25 organizations that participated and half of which are usually clinical. Not so with us, so we had a really robust participation from our community which we're proud of.

Again, we were led by the KU Center for Community Health & Development from the method standpoint and we were also funded again by the Wyandotte Health Foundation. Without them we wouldn't have been able to undergo this.

That planning process started last September, and it just finished up in early July. The plan is complete and it's currently with our graphic designer. We decided that the format it was in was not easily assessible for our residents, so we're working really hard to make a paring down size to a 6-page version that accessible for low literacy folks, that's available that makes sense to people, that they actually want to engage and it's visually engaging. That's where it is. I wish I could give you a hard copy today, I can't. Within twoish weeks you will have a hard copy in front of you. I'm excited about that, but not today.

I also want to mention. I'm going to dive into our Lead Agencies and then I'm going to put up some slides that all are very busy. I'm sorry about that, but I wanted you to be able to walk out today with a paper that had the strategies listed. You will see some busy slides. The bold in

those slides are the objectives and the areas not bolded are the actual strategies written in plain language. In the formal long plan, they are written in a different way, but again, this is part of making it assessable.

LEAD AGENCIES

Jobs and Education:

- Wyandotte Economic Development Council, Greg Kindle

Health Access

- Vibrant Health, Patrick Sallee

Safe and Affordable Housing

- Livable Neighborhoods, Andrea Generaux

Violence Prevention:

- Metropolitan Organization to Counter Sexual Assault, Vanessa Crawford Aragon






The folks I have at the table here today, and before we dive into these four areas, are the folks that we have dubbed Lead Agencies. A CHIP by definition is a Community Health Improvement Plan. It is not a Health Department Improvement Plan and if I can impress anything upon you, it's that. This plan will not work, it will not be successful if it doesn't maintain its identity as a Community Health Improvement Plan. To that end, we have worked hard to identify what we are calling Lead Agencies who will really push, stay involved, and make sure this work actually happens.

Each of these Lead Agencies kind of arose organically over the last two years through the Health Assessment & Planning Process and we feel really confident that these partners will maintain involvement in a substantial way.

From the Jobs and Education Section, Wyandotte Economic Development Council, from Health Access we have Vibrant Health. Safe and Affordable Housing is Livable Neighborhoods and Violence Prevention is the Metropolitan Organization to Counter Sexual Assault. These are the folks that we have here with us today. I wanted you to be able to see the people that we've partnered with really intimately and will be partnering with and kind of hear from them about their work.



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Before we dive in, because this will help make sense later, but one of the mechanisms of accountability that we're putting in place is building what we're calling a Community Health Dashboard. This is a very big deal. The big cities have this. If you look at LA and New York, etc. they have these. I'm very excited about it because what it does is it adds a really strong level of accountability to the community. This is a public facing website. Anybody can go there at any time. The objectives will be there, the strategies will be there, the partners working on these strategies will be on this website, and most importantly, all of the outcomes related to this plan will be on this website. You will be able to track in real time regularly updated the progress towards those objectives. We really want to get to a place where we're transparent about the outcomes that we're expecting to see and whether or not we're actually meeting them. It's a really exciting opportunity. United Way is our very strong partner on this and is making this happen along with the formal CHIP this will go live within the next two weeks.

To that end I will pass it over to Greg Kindle, President Wyandotte Economic Development Council.

JOBS AND EDUCATION STRATEGIES

Increase access to quality and affordable child care opportunities.

- Support the economic development of childcare centers
- Support the implementation of a county-wide quality improvement system for early education facilities

Increase proficiency in English tailored to industry-specific communication.

- Develop a multi-faceted, customized Business ESL training program
- Increase the number of students enrolled in KCKCC's ESL training program

Improve accessibility and frequency of public and alternative transportation options for Wyandotte workforce.

- Pilot an employer transportation council in Edwardsville.
- Encourage government policy and incentives to increase business investment in transportation solutions for job access

Increase hiring of individuals with criminal history.

- Increase training and education opportunities for people during their period of incarceration and while under supervision.
- Establish trainings to educate employers about the incentives for hiring ex-offenders.
- Promote and expand summer youth employment opportunities.
- Expand the availability of appropriate expungement services.

Increase attainment of post-secondary education/industry-recognized training.

- Support and expand college and career readiness efforts across all school districts.
- Streamline and expand the use of Individualized Plans of Study (IPS).
- Build supportive systems to remove barriers and improve ease of access to continuing education and livable wage job opportunities.

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Greg Kindle, President of the Wyandotte Economic Development Council, said thank you all for engaging in this Community Health Improvement Planning process. Our mission is to grow the Wyandotte County economy through whatever means we possibly can. For many years we've come before you all to discuss traditional economic development projects, but today the number one issue affecting our ability to drive economic development is workforce development or more importantly, the lack of available talent. Without the talent base there is little economic development. We're only just beginning to see an age in which the interconnection between talent and innovation are driving economic development throughout the country itself. There is a lack of people to fill the jobs.

Our involvement in this process actually started a few years back when we initially thought that the problem was our unemployment rate and technically that was my assumption, that the issue we needed to address was to lower the unemployment rate in Wyandotte County. While that was true, it really was more of a symptom rather than the actual issue to helping our citizens overcome those barriers to employment. We recognized a couple years ago that despite having several billion dollars' worth of capital investments announced and thousands of jobs, that the median household income in Wyandotte County was not improving and that if there was a time in which we needed to take a step back and say how do we better connect citizens to those jobs, that was the beginning of that impetus.

That resulted in the Workforce Solutions Committee being created and today we have more than 25 organizations who come together every month to talk about workforce solutions, challenges, issues, and potential solutions. Commissioner Philbrook has been very much involved, Commissioner McKiernan, Commissioner Johnson have all been involved at various times on this committee. That also resulted in the EDC Board creating a Business Retention position with a focus on workforce solutions. We've now hired a Senior Director of Retention and Workforce Solution. That's Marcia Harrington and she's in the audience today. In addition, the EDC Board has added a matrix to increase the median household income to the same level as that of the State and we have technically seen two years of increased household income in the county just apparently by merely talking about it. We have frankly done more than just do that. We've have tried to do a much better job of connecting these job fairs to Wyandotte County citizens. Lastly, they supported the Board—the Board has supported the EDC being a lead agency around this initiative and we're really focused on these five areas.

One is child care so today there are 40%--enough slots, child care slots, to help 40% of the available population. We know if we don't have these folks, these kids, ready for kindergarten and then caught up by the time they are in third grade, there is a high likelihood they may never get caught back up. This is the future talent workforce. If we don't draw a line and figure out how we work together in a public/private partnership with business, which is where our retention efforts come back into play to work with companies to figure out how we create more child care positions, then we're going to continue to be in this cycle of kids not being ready for an innovative workforce.

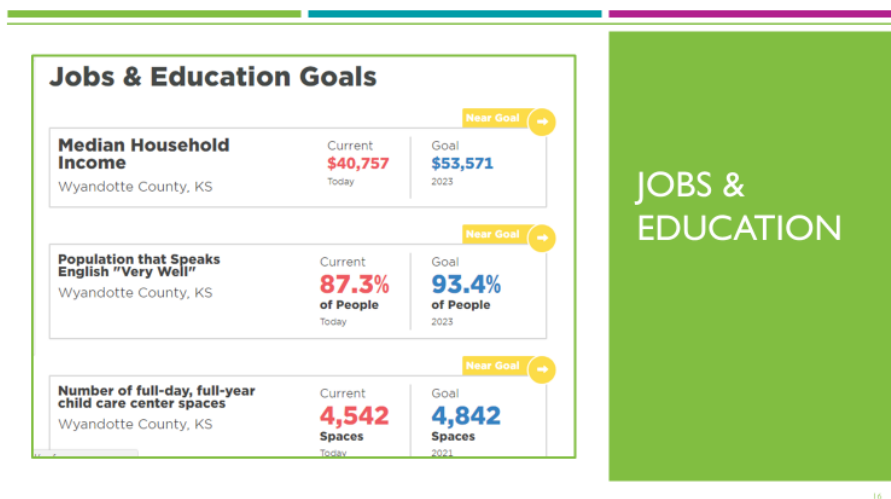
The second one is making sure that parents and children have a focus on English. We're looking much more at Business ESL which does not mean they have to be conversational English to be in the workforce, they have to be safe in the workforce, but that does not necessarily mean they have to be conversational so trying to figure out how we expedite that discussion. Increasing the number of options for transits. Wyandotte County has a very strong transit program, but that bus can only be at so many places at the same time at shift change and so we're finding that we have to identify unique transit options for these companies. That's something that honestly, I think is one of the easier options and the UG has been very open to these discussions thus far.

Increasing the number of folks being hired with a criminal history; today because it is challenging to find a talent workforce we believe there are options within the correctional system itself to do a better job of training individuals who chose, for non-violent offenders, to get

certificates before they ever leave incarceration and then move them into the workforce in a much more strategic way in addition to assisting those folks who are already out in the community having a hard time finding a job, to get those folks into training. There are many strategies under each one of these. I'm just going to the high level.

The last one is to increase attainment of post-secondary education and the industry recognized certificates. We spent a lot of time talking about the KCK School Districts Diploma Plus Program. Their move to college and career academies and that is a fantastic program. We envision a day where we take a potential client coming into the community right into the high school saying to the advanced manufacturing logistics academy where we say company X here is your future talent workforce, when would you like to do a job fair with the students and their parents in which we might be able to find jobs for these folks and move that career path much faster along. Every one of our school districts actually have these programs whether it's the Bonner Springs, Edwardsville; their innovation center they're constructing today, the automotive program in the Turner School District. All of these school districts have programs in place that are moving kids much earlier in the process to getting a certificate or moving them into that four-year degree.

That is generally kind of the focus. I know it seems a little unusual that an economic development organization would be focused on this, but we know that many of the subfactors effecting the county health rankings are tied to socioeconomic statistics. We used to say those poor folks who have to deal with those county health rankings, I'm glad we don't have to deal with that. Then, Commissioner McKiernan showed us a whole bunch of data and said guess what, you folks need to be much more involved in this and we've taken that on and so we look forward to working with you all and Juliann to move this forward.



Ms. Van Liew said before we go to the next, you will notice that after each slide with objectives and strategies, there's a slide that looks like this and I wanted you to be able to see how the Community Health Dashboard is growing. This is actually a screenshot from the Community Health Dashboard and what it will look like on the outcomes page in each of these areas. You will be able to see what the current state of like household income, for example, is and the goal moving towards and then there will be an indicator bar of are we making progress in each of the areas.

Next, we have Health Access. We have Patrick Sallee, CEO at Vibrant Health.

HEALTH ACCESS STRATEGIES

Assure access to health care for all

- Increase city/county investment in primary care/safety net healthcare services.
- Expand KanCare (Medicaid)
- Assure clinic locations and service hours match the needs of Wyandotte County residents.
- Educate the community about health literacy, the availability of local health services, and how to access those services.
- Establish School-based (physical/mental) health centers and dental programs in underserved areas.

Improve capacity of the health care system

- Improve coordination of patient care among primary care and behavioral health care providers
- Increase the availability and capacity of outpatient therapy/counseling services, in English, Spanish, and other needed languages.
- Provide training in cultural humility and trauma-informed care for staff of health and human service organizations.
- Create an education-to-employment pipeline for Wyandotte County students in the health care professions, connected to Wyandotte County employers

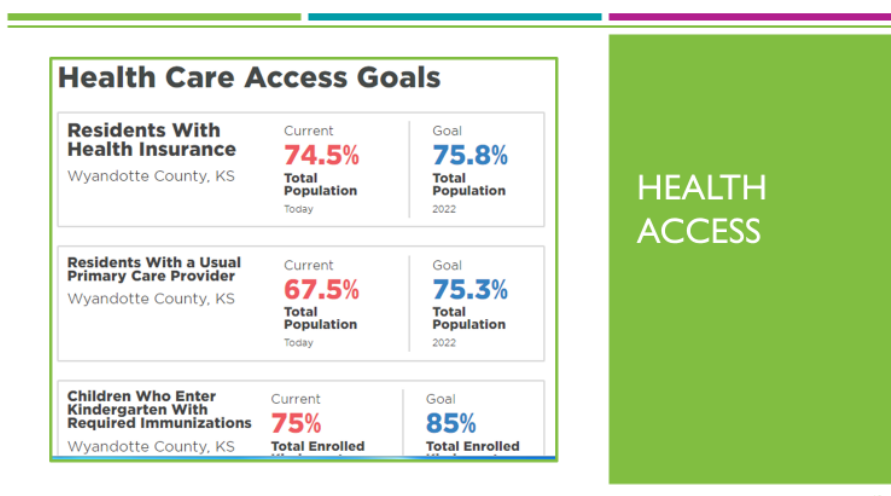
Patrick Sallee, CEO Vibrant Health, said thank you for taking time for this presentation and this information. As you know, it's critically important in this community that we execute on this plan and that we make progress. I expect when you get the full report in a couple of weeks it will be

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20 or 30 pages long and it will be a lot of information, but I would encourage you to go through it. It's really important and really helpful to understand the big picture.

As Juliann said, I am Patrick Sallee. I'm the CEO of Vibrant Health, we are a health care provider in Wyandotte County. We have three locations currently across the city and we provide medical, dental and behavioral health services primarily to uninsured and low-income families, about 9,500 patients a year. We have been engaged in this process since about the end of the—I guess the assessment process when the planning began and we talked to Juliann and the Planning Team about being in the lead agency role and we're excited about the opportunity because we think if access to care is one of the priority issues here that a healthcare provider needs to be at the table for that and, frankly, all the other providers like us have been at the table as well. We're excited about being in the lead role. We're committed to seeing this planning process through. We have hired a staff member to focus their time on the planning work and so they will work hand-in-hand with Juliann and her team at the Health Department and they will work on some projects for us at our office. It will be a fulltime employee that Vibrant Health focused on supporting this access to care work.

You can see a couple of the goals here on this slide and there are a lot of teams involved and committee's supporting things like Medicaid Expansion and looking at hours of clinics. We've already been able to make some progress on that one and a couple other bullet points, but the Planning Team entirely for access has really jumped in and gotten after what are our goals and trying to make progress. We're excited to be a part of this and looking forward to meeting these expectations.



Ms. Van Liew said again you will see what that will look like on the dashboard in terms of objectives. I will turn it over next to Andrea Generaux at Livable Neighborhoods.

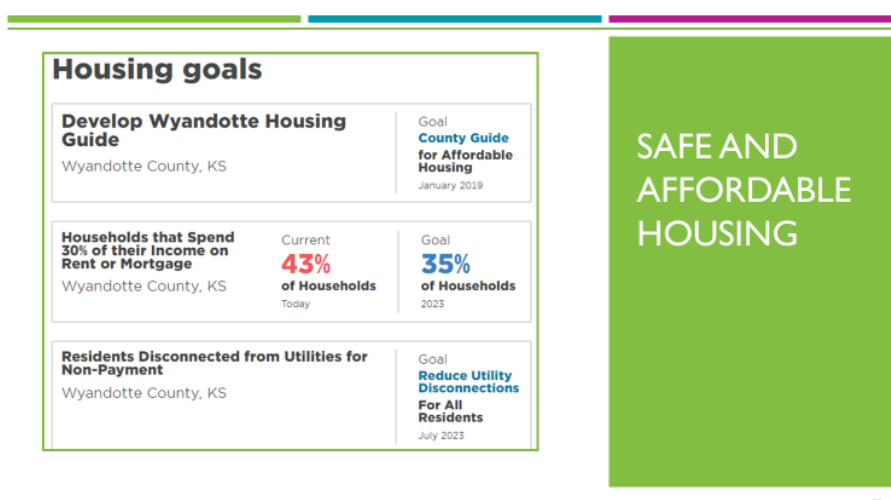
Andrea Generaux, Livable Neighborhoods, said as you all know Livable Neighborhoods mission is to partner with government and neighborhoods to improve the quality of life in our community. This is the first time we've really been involved in health conversations at Livable Neighborhoods. When we were first asked to come to the table during the assessment process, we were a little excited and apprehensive. Our crowd was not really the health focused crowd, so it was interesting for us. Because of that there wasn't a lot of experience in working with housing issues with the group involved at the time and so I fell into the role of being the lead for the Safe and Affordable Housing Strategies which I was happy to do and am excited about. We have been helping to bring together a group. We're a little different, I think, then the other committees. They had already been doing a little work along this way with some groups beforehand.

Our committee was kind of new coming together. It was the first time we were bringing groups of people together who work around housing and so there were a few stumbling's along the way, but I think we've pulled together a good group and have come up with some very interesting objectives and goals.

The two that you see there are a little more general because we were sort of starting from scratch. Increase the quantity and quality of housing for low-moderate income people in high opportunity areas. Also, reduce the cost of accessing housing and the associated cost of living in the home. Those two seem to be the main ones that sort of bubble to the top in many of our

conversations. We're excited about jumping in and helping with this and we look forward to the next step.

Ms. Van Liew said I do want to throw in that Livable Neighborhood is one of the partners that the Health Department has already successfully cowritten a grant for and they have received or been awarded funding for a position there who will also focus on this work. It's part of our role at the Health Department to identify those resources.



Ms. Van Liew said I want to spend one minute here because you will see some areas where there is not a numeric value or an outcome. I don't love this. I love numeric outcomes, but I think it's really important to note that there are some process measures that simply need to be process measures. In housing, for example, developing a Wyandotte Housing Guide came up over and over as something that our community needs. There is no measure. We either do it or we don't, so that's why you won't see a number in something like that. These process measures, we believe, are still very important.

The other one at the bottom here, Residents Disconnected from Utilities for Non-Payment, does not have a number because we don't have access to that data today. We want access to that data and part of our work in this area will be to get access to that data, but we feel really strongly that just because we don't have the data on something doesn't mean we shouldn't be working on it. There are some areas where data is missing, but part of the team's work and part

of the strategies in here is to figure out how to find the baseline data and to move from there. I just wanted to explain that.

VIOLENCE PREVENTION STRATEGIES

- Foster safer neighborhoods, free from violence.**
 - Implement Crime Prevention Through Environmental Design (CPTED)
 - Add evidence-based violence prevention components (e.g. CPTED) to existing community programs (e.g. Safe Routes to School, Neighborhood Watch)
 - Concentrate all violence prevention strategies, including preventive community services that target risk factors (e.g. youth employment opportunities), in KCKPD districts with the highest rates of violent crime
- Foster and promote community connectedness and resident supports.**
 - Support creation of a Youth Community Advisory Board that focuses on promoting community development and reducing violence
 - Develop a Violence Prevention Community Health Worker program
 - Increase coordination among hospital-based violence intervention/survivor advocacy programs
 - Evaluate and improve communication and relations among residents and law enforcement agencies, other first responders, and the justice system.
- Address cultural norms that tolerate or promote violence.**
 - Develop and implement a violence prevention campaign among UG agencies for UG employees.
 - Convene a community-based committee to develop an effective cultural norms change campaign.

Our last group is Violence. Our lead agency is MOCSA, Metropolitan Organization to Counter Sexual Assault and Vanessa Crawford Aragon is our lead there. She is actually presenting at a National Assault Conference currently. We have an excellent stand-in today. Dr. Jomelia Watson-Thompson who is the Associate Director of KU Center for Community Health and Development and also the Director of the Thrive Violence Prevention Program in KCK. They also, along with MOCSA, have been intimately involved in the planning process so she is going to speak to the violence part.

Dr. Jomelia Watson-Thompson, Associate Director of KU Center for Community Health and Development Director, said thank you all for the opportunity to share on behalf of the Violence Prevention Planning Group. I should mention we have a couple other representatives here today from that group; Dola Gabriel as well as Roger Crawford and with that when we think about violence prevention strategies and many of the other strategies that you've heard, ultimately what we're talking about as far as determinates of healthy unlined factors; housing and others that contribute to the wellbeing of our community. With that we know when we think about violence prevention ultimately, we're considering how do we foster safe neighborhoods free from violence is one of our key goals.

With that we're considering how do we ensure that we are supporting an environment in regard to the infrastructure and so how do we support strategies such as crime prevention through environmental design where we're thinking about how to make the physical environment safer as well as violent prevention programs that we know are effective. So, having more watch programs, Safe Routes to School programs as well as thinking about how do we concentrate and be systematic with our resources in regard to going where we high crime areas and some vulnerabilities so that in five years we can see some impact.

A second goal that we have is fostering and promoting community connectedness and resident support. This one I really like because we're really focused on the Youth Voice/Youth Engagement and Youth Perspectives. With that, one of the strategies we're looking at is creating a Youth Community Advisory Board. We have some partners we're excited about and making sure we have access points to the community and those residents in the community that might be disproportionately experiencing violence such as the Violence Prevention Community Health Worker Program. Thinking about gateways where we see individuals who might be prone to violence showing up at the hospitals, so places where we might have increased access to individuals and populations that are experiencing violence and making sure we have those pledge points.

Lastly, thinking about how to address the cultural norms so that we're reducing tolerance toward violence. With that thinking about campaigns at a couple of levels. One of the levels is the Unified Government and employees and what we can do to ensure that we have a cultural that is safe and protective of our employees as well as our constituents. Then, also thinking through broader cultural norm change campaign so that once again we collectively are saying that we're not a community that tolerates or stands for violence. With that I will give it back to you Juliann.



Ms. Van Liew said I just have a couple more things to go through before we wrap-up here. This next slide is very important to me because it is imperative that this CHIP actually happens. CHIP's happen all over the country in almost every county and they generally sit on their shelf. Our community cannot afford for that to happen. We just can't. We all know the state of our health outcomes. In order to make sure that this plan becomes a reality we're trying to implement a structure and what I'm calling Mechanisms for Success.

One of the main things is identifying our lead partners who are here today. We're really appreciative of them and their work. We're signing formal MOUs with them so that they can know what to expect from us at the Health Department and we can know what to expect from them as a partner. We're grouping strategies in each of the action areas so that folks don't get over extended. In health access, for example, there are three strategies that are very clinic involved and

the clinics will form a group to work on those strategies and there will be identified additional leads for each strategy group. We're trying to make sure the Lead Agencies don't take on everything, but they are strategy leads as well. We've put reporting mechanisms into place, so these folks have agreed to help us report out every quarter on the work that we're doing. It's really important that we identify barriers early and that we either change course or figure out how to jump in and work on those.

From a Health Department we're committed to continuing to work on the data and providing mapping and reliable data to our folks throughout this whole process. We will be conducting the evaluation, we will be maintaining that Community Health Dashboard, and we will be working with these folks to make sure they have the resources that we need. We have already successfully cowritten two grants to make sure that these guys have staff in their organizations to spend time on this important work.

NEXT STEPS

- Publishing the CHIP and launching Community Health Dashboard
- Community kick-off events and engagement efforts
- County Commission:
 - Participation in accreditation preparation and site visit:
 - contact Juliann Van Liew: jvanliew@wycokck.org
 - UG Commission resolution to adopt the Community Health Improvement Plan

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Next Steps; I've mentioned several times we will be publishing the CHIP and also launching the Community Health Dashboard within a couple of weeks. You will receive that formal plan and a link to that dashboard. Please dive in, look at it in-depth, come to us with questions or ask to be on one of the Action Teams if you're not already. We will be having some community kick-off events the second half of September. It's really important to us because data fatigue is a real thing and we ask our residents in our community over and over again to give us information about their lives. They have given us a tremendous amount of information and our responsibility is to bring it back to them and say here is what we did with it, here is the plan we created, here is what we're

going to do next, and here is how you can participate. We're excited about getting out into the community with that CHIP Plan and trying to plug folks in to areas that make sense for them.

As a County Commission we have a couple of things that we are looking for help with. You remember at the very beginning of this presentation we talked about accreditation. We do need some Commission involvement. If you or someone on the Commission who is interested in health, if you're interested in outcomes or what the Health Department is doing and how we can improve, please consider becoming involved in the accreditation process with us. The big thing is the site visit next July, but that requires some preparation along the way and just really would help us to keep you better informed of what we're doing which I think would be helpful for you and your work.

The second thing that we hope that you will consider in coming months is a resolution to formally adopt the Community Health Improvement Plan. Several of you have been at the table in these Action Teams, but I believe that adopting this formally as our Commission would really put the weight of the UG behind it and is really important.

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- Wyandotte Health Foundation
 - United Way of Wyandotte County
 - Lead Agencies
 - Community partners
 - Residents
 - Unified Government partners

THANK YOU!

Lastly, just a few things, the Wyandotte Health Foundation made it possible for us to conduct the job. The CHIP is a really big deal. United Way of Wyandotte County has partnered with us the whole way and is supporting the Community Health Dashboard. We have Lead Agencies, a ton of community partners, residents have participated, and Unified Government partners as well. Just a big thank you to everyone and that is all I have for you.

Commissioner Johnson said I'm going to ask this question. I think Commissioner McKiernan has already warned me about these types of things, but these strategies that we have put forth we have goals for them. How do you see them affecting our overall county ranking, county health ranking which is very low—continuing to be very low. Do you see those as having a true upswing in the overall county ranking or are we just talking about simple small percentages of increase if we're successful in achieving all these goals? **Ms. Van Liew** said I appreciate you asking that question because that's the question we've been asking ourselves this entire planning process. Every Action Team throughout the process has been coming back to the question of, if we successfully implement this particular group of strategies, will it move the needle because if it's not, what are we doing and why are we doing it. We're tired of being at the bottom of the county health rankings at the Health Department and in the community. I believe, and I think my partners believe as well, that if we are successful in this implementation, it will move the needle. That will not happen in the next 6 to 12 months, but this is a five-year plan and if we are successful, I do believe it will change the county health rankings.

Commissioner Johnson said okay, then I will push just a little bit more than. Does it make sense for us to put a goal as a community or as the Health Department? **Ms. Van Liew** asked on moving up in the county health rankings? I like the way you think. That's ambitious. **Commissioner Johnson** said I know. I'm hearing grumblings over here. I don't know if it's realistic to even ask. **Ms. Van Liew** said that's very ambitious. I think it's something we should talk about. I think it's something we should consider. We haven't yet, but we should have that conversation.

Commissioner Bynum said a couple of questions and comments. The Health and All Policies piece at the very beginning; one thing that pops right into my mind is anyone that's involved in the CHIP in any way also involved in our current zoning code rewrite work? **Ms. Van Liew** said the Health Department, from my perspective, has been minimally involved. I would like to be further involved. There is some analysis that we have provided some data, a minimal amount, but there is room for increased involvement in my opinion. **Commissioner Bynum** said I mean if you have someone in mind, I would certainly be asking that we engage someone—are you in it? **Ms. Generaux** said just to let you know, Rob Richardson is on the Safe and Affordable Housing Committee and has been a part of those particular conversations. In regard to the other committees,

I don't believe that they have any representation from anyone from that process. **Commissioner Bynum** said an important voice, echoing you talking about Health in all Policies, that's going to be a big one. We're rewriting the entire zoning code so that's going to be a big one.

Second kind of question/comment is, Greg Kindle, I really am not trying to do this specifically to you. As we talk about housing policy and housing in general, I've kind of long thought that Wyandotte EDC should be industrial which you do now very well, commercial which you do now very well, and housing is a third leg of that stool and I've thought that for a long time. I feel like a person or a position around housing either within your organization or within our government is something that is something that just doesn't exist, and I really think it should. That's just a comment for everyone to reflect upon.

Last, you had said the CHIP is going to be ready in two or three weeks. Is that right? It will be important for us. We're going to go into Strategic Planning in the next month or so and so it will be helpful for us to have that as we work on our Commission Strategic Plan. **Ms. Van Liew** said absolutely.

Commissioner McKiernan said I certainly thank you for all the work you've done and if you would have come to me six years ago and said we're going to have a Community Health Improvement Plan that's going to focus on things like employment and housing, I would have said what, you're going to do what. Historically, I have thought about Health Improvement Plans in terms of personal health behaviors and access to health care and health care services and when I really dove into the county health rankings, I asked the question that any teacher asks, if you want to beat the test, you've got to teach to the test, right? So, when I asked what are those factors that are mathematically most contributing to our last place finish and those three were in the first year I looked at the data; unemployment, children poverty, and adult smoking. Only one of those is a personal health behavior and the other two of those are socioeconomic factors that frankly I didn't have my brain wrapped around.

When I further realized that those three factors are the most contributory in like 47 out of the 50 states so you take the last place health rankings county in about 47 out of the 50 states, it's those same three and they are in order of magnitude bigger than any of the other factors. It's been a complete shift in my thinking and I see that you have similarly taken a shift in terms of how

we're going to hopefully approach changing our health ranking, and more importantly, the health of our community.

I will caution Commissioner Johnson, I took the liberty of doing some calculation so for each of the 30 factors that they gather data on, our rankings ends up being in each factor and then our overall ranking, how far are we—how far is our raw data away from the State average either to the good or to the bad. Improvement depends, and the rankings depend, not only on us, but it depends on the other counties as well because it is relative to the State average in that particular year. I would encourage us to take the factors that we want to look at and look not at our ranking, but at the raw data. If you go back to what I call our top ten, which are the 10 factors that contribute most to last place, we are making games in the raw numbers year over year over year, but we're not yet catching up with the rest of the state.

I will say this, right now there are 105 counties in Kansas, they rate 102 of those counties on health factors and create the composite score. We are 102 out of 102. If we come to the state average in those three, unemployment, children in poverty, and adult smoking; we will move one place assuming everybody else stays where they are. It's a little bit of a funny way to do it, but if we come to the state average in those three, we move one place up. If we come to the state average in the quote "top 10" or our 10 worst, we will only move about 30 places up in those rankings. As I was encouraged, I'm going to encourage everybody else, once we find those things we want to focus on, use the health rankings as a way to find the targets then shift to the raw data and track our progress relative to ourselves and relative to the raw data from the State rather than solely relying on the rankings.

It's really interesting to me that this is where we've come in health improvement, but it seems based on what I have seen and read and the data that I've analyzed that this is the right approach. **Mayor Alvey** said apparently you don't grade by a curve. **Commissioner McKiernan** said I do not.

Ms. Van Liew said I really appreciate that sentiment because most CHIP's are talking about physical activity which is very important. They are talking about a nutritious diet which is very important. All our residents themselves identified the social determinates of health as their own barriers. I really think it's a part of our community understanding where they are and what they need and I it's a big thing to recognize. Also, as the Health Department employee I have to push

back on the tobacco thing because that is also quite socially determined. We have a large number of middle and high schools within one mile of tobacco outlets, so just something to consider.

Commissioner Philbrook said I'm very excited that we finally see you in front of us. I know that, not on your part, you guys have done a great job, but relating to how long some of us have been working at these issues, starting several years ago when poor Greg and I were in meetings every Friday afternoon for five months for five hours on every Friday along with another eight people to try to determine what really were the problems and why weren't we getting anywhere. As he said, when we finally figured out it's a social cultural issue about education and how our children are raised and what they're exposed to, then the lights started going on and we realized we've got to deal with education from the time the child and before the child is born of the parent on how the child is cared for and what they're exposed to. One of the biggest things we figured out was there had to be a gainfully employed person in the home that liked what they were doing for a job and were a great role model for their child, so a kid had something to look forward to so they weren't seeing all the negativity, all the bad stuff going on around them, so they actually had something positive to grow into. I know that sounds over simplistic, but folks we make our choices with our emotions and it's how we're exposed to things, how we chose to live.

I want to thank you very much, Greg, for hanging in there and keep fighting it because it was an uphill battle, I know it was, and I appreciate you talking with Wyandotte Economic Development to get them to understand how important it is.

Commissioner Murguia said I just have a couple of questions and they are really elementary, sorry for this, but I've always wondered when we throw around the median income of an area, that statistic, and we say whatever it was 40K in Wyandotte County, does that number include those that are not employed? **Mr. Kindle** said yes. The short answer is yes. It includes—the information provided by the U.S. Census Bureau and then we also work with Mid-America Regional Council sort of to revett that. One of the things we started looking at was data by census track, so you can literally look at the median household income on the far eastern side of the county and walk your way across to say Indian Springs and it goes up a couple thousand dollars every 70 blocks. The farthest east I want to say when the last time I took the data it was about 18K of median household income and then you get over to Indian Springs and it gets to be about 40-43K

now so actually our median household income in the most recent data is now up to 43K, so we've actually seen some increases in our median. As you move further west, it takes that same path until you get to the Piper area and then you're closer to 80-90K and then you will see pockets even well above the 100K mark and that seems to go pretty consistently all the way north and south across Wyandotte County.

There were some anomalies where we thought that in your district I would have assumed higher median household incomes in almost all the areas and yet we saw tracks along Merriam Lane, for instance, that were much lower median household incomes than I would have expected based on it being a working household income. What that did is it drove us to create what we call a proprietary distribution method. We reached out to all the faith-based organizations, the churches, the social service network, and created a database so that when jobs become available we can actually send a job proposal that this job is going to pay \$14 an hour and we think that's a reasonable wage to pay. We know generally based on that wage that should increase the household income through these zip codes or up through these census tracts because if that pays \$28K a year, then up to about 32nd Street, give or take, that should increase the household income if those folks in those areas were to apply. By reaching out to those faith-based organizations the hope is that we better connect our residents to better paying jobs. I won't say that every job is the last job they should have. The idea is to create career pathways.

It's made us smarter and we've moved from trying to sugarcoat it—remember those years when you all would ask to come and say what are you doing to help our residents get connected to jobs and we would all come and we would tell you what we were doing and it was all the right things, but it was very disjointed. Today we will tell you the good, the bad, and the ugly. We will tell you this is what where we're not doing a good job, this is where we can do a better job, and this is what we're doing better. We've seen better. Even Amazon not at the end of the world in terms of wages, but we were able to get those wages increased as a result of the knowledge that we have by about \$1 an hour and we were able to see a significant number of Wyandotte County residents enter the workforce and hopefully a better career pathway so about a third of our residents now work at Amazon based on the most recent data. We were able to support that through a lot of partners, not just us, but much more data driven. That's a long answer to your question on median household income.

Commissioner Murguia said yes, it's a lot more advanced than I am on the issue of median income. I just want to be clear about my question. This median income number that you throw out is based on household, not on individuals. **Mr. Kindle** said it's median household income. **Commissioner Murguia** said when we hear median income in Wyandotte County, it's based on household, correct? **Mr. Kindle** said you have to be careful some people talk average household income, some people say median per capita, and some people say median household. **Commissioner Murguia** said this number is per household. So, potentially there could be households where there are several people living but only one income, correct, so we're just looking at that.

Do we have any data about the median income of those that are employed in Wyandotte County? **Mr. Kindle** said I don't know that we've sliced and diced it in that way. I can go back and look at it. If the U.S. Census Bureau collects the data, we can provide it to you. **Commissioner Murguia** said it would just occur to me and I'm absolutely, positively no expert in unemployment and median income or anything, but it would occur to me if we had a lot of jobs available and you've come up with some reasons why those jobs aren't being filled by people, which I think that's part of the issue. But it seems to me that we might make a bigger difference if we looked at those large percentages of people in Wyandotte County that have jobs, look at what the median income is of those that are already working which is the three-quarters or greater of our population, 87% or whatever you said. **Mr. Kindle** said I totally agree with you. Our focus is actually on the working poor. Those folks who get up every day and go to any number of jobs, but no matter how many hours they work, they're going to still remain in poverty. Let's face it, if you're a family of four and you're at \$40K a year, it doesn't work. If you're making \$24K to \$25K a year, \$12 or \$13 an hour and infant care is \$1K a month, it does not pencil out for you to use a traditional infant child care facility. We've got to figure out how to reduce that cost, but we do focus primarily on the working poor. It took us over a year to figure out how we message around that. We were looking at folks who was on say TANF or other welfare programs or folks who are homeless, all working groups and ultimately sort of came to this working poor. Folks who are going to struggle every day but need to get into a different career pathway. We've got to stop exporting Wyandotte County citizens to do low wage jobs.

Commissioner Murguia said I really wasn't going in that direction, but that's good information to have. That's not the direction I was headed. The direction I was headed in is, the

reason I would like to know that those that are currently employed and what the median income of them is, I would like to know the number of those that are unemployed that are not employable and how that is affecting our overall median income which is the factor, the number one factor, which Commissioner McKiernan has talked about before which has to do with living in poverty and issues that surround that. Maybe somebody is disabled and can't work, there is a whole variety of reasons. If a disproportionate number of people are living in our community that can't work compared to other counties, then regardless of what the median income of those that are working that can work is, I don't think that's a fair assessment. You see what I'm saying? **Mr. Kindle** said I do. The only counter I would say to that—**Commissioner Murguia** said your assessment—let me finish this. I think a better assessment would be to look at those that are working in Wyandotte County and what the median income is there and somehow try to figure out those that are not working if that is—what percentage is actually not working because they can't get a job or because they can't work period. They're on some sort of disability. **Mr. Kindle** said the only thing I would say to you because we did talk a little bit about that is when you look at our participation rates, I think sometimes there's the general thought is that oh, we just don't have people in the workforce. We actually have higher participation rates in the workforce than the state and national average. It's not that we don't have people in the workforce, it's the jobs that they have are not paying a high enough wage.

I will go back and look at the employable piece and see what we can extract out of it, but our participation rates are very high. **Commissioner Murguia** said if you have that number, I would like to know out of those that are currently employed—I know it's done by household so that's probably difficult. Those that are currently employed that are working, I would like to know what that median income is in Wyandotte County and that is the largest percentage. Then I think a different strategy could then take a deeper dive into that 10% that's not working and look at what percentage of that 10% is not working that can't work. If that's only 2 or 3% fine, but if that's 7%, that might explain a lot and a lot of what you're trying to do might not have as big of an impact on our overall health ranking if those people can't work.

I just know this because there is a lot of emphasis on, and I've always been very supportive of a livable wage and people making more money, but there's also a large number of people, because I represent one of the lowest income districts, and you highlighted it yourself. You thought it would be wealthier than what it was. It's not and I can tell you because some of

the barriers to that is that a lot of the people that live in my district, a larger percentage than even I would have anticipated, are on some form of disability. If they get a job, they can only work a limited number of hours or make a limited amount of money or it effects how much disability they will receive. For me, I think that's a bigger issue where—I believe if someone is working fulltime and is capable, they should be making a livable wage; but I also believe that if somebody can make a contribution to our community through a job and keep their disability, sometimes a livable wage works against them and it works against our county in our rankings as far as what our overall household median income is. That's why I think we need entry level jobs for people that need that kind of employment and we need higher end jobs for that group of people that want to make more money and need to make more money. There are jobs for all different kinds of people.

I would just say I haven't been involved in these discussions, but I would also say when you look at the statistics—I'm on the Kansas Board of Regents and we look at data every single month for two days straight and when you look at the eastern portion of Wyandotte County and you see where the people live with the lowest skillset, for example, the lowest graduation rates from high school. When you look at that the job that they can access to get them started to begin to work their way out of poverty in Wyandotte County are not located where they live. They are located in the western portion of our county where it's much more affluent.

Another approach would be encouraging business development for entry level jobs in those neighborhoods where those people that have those limited skillsets live. Just like when you put a business in a neighborhood, you're probably not going to build a fancy clothing department store in Argentine, I'll use my own neighborhood, because the income is not going to sustain it. The same goes that you're probably not going to build some high tech knology center that requires incredible engineering skills in my neighborhood if the employees that they have access to don't have that skillset.

I would say there is benefit in recruiting entry level jobs that offset certain population income as well as higher income jobs and increasing the skillset of the employee. I think there is some merit in looking at that and I do think it's kind of an unfair assessment of Wyandotte County because I do think in our county we have a disproportionate number of poor people that because of the way our government system is structured are not able to earn over a certain dollar amount and it's kind of a vicious cycle.

Commissioner McKiernan said I'm just going to add one thing onto the jobs piece and I don't know how to interpret this, I don't know how to unpack this. One of the things I did was when I looked at the health rankings I took the number one county, so the top rank county in each of the 50 states, and I took the number last so whatever was last in all the 50 states and I went to the Census Bureau and I just created a demographic comparison of those. The group of 50 that are in first place and the group of 50 that are in last place and it is a striking demographic difference between the 50 first and the 50 last. There was one piece, and I don't know what this means, I still need to be educated, but one piece of data that the Census Bureau reports is employer establishments. Now, simplistically, I think that means places to go to work. One thing that jumped out at me is, if you adjust it per capita based on the population, because they're dissimilar populations, but 50 counties that are ranked first in their respective states in the health rankings have roughly twice the number of employer establishments per capita as the 50 counties that are ranked last in their respective states which would suggest that there is simply fewer places—that one of the contributing factors and this is a simplistic assessment on my part, but simplistically there are fewer places to go to work and that then dovetails with or compounds all of the other barriers that there are to going to work.

Commissioner Murguia said the additional data that is out there is that when you look at more affluent areas, they have very entry level jobs that young high school kids can obtain early on, so they learn those. You complain, not you complain, it's nothing personal, but you hear a lot of complaints about how our youth or how our young high school graduates in the city don't come with basic job skills like showing up on time or how to talk to people or whatever. If you grow up in a neighborhood and you grow up poor and you don't have transportation, you don't have the opportunity to get a job down the street at 16 years old working at a fast-food place. You don't have that chance. If you did, you would probably develop some soft skills at 16. I know I grew up in a small town, so I could walk to that job, but if you grow up in a big city and you don't have good bus transportation and you don't have those businesses gravitating to those areas, you don't have those opportunities. So, when they finally do graduate, and they do have a job, they have to travel quite a ways away from where they're at and then it's their first job and the employer doesn't understand why they don't have those skills.

I do think having employment, neighborhood-based employment opportunities is great for developing those kinds of skills. As I say, there's no better program for assisting the unemployed than a job that gives them the training that they need.

Mayor Alvey said on that note we're going to close, and I will entertain a motion to move into executive session. (Motion was made at 6:05 p.m.)

Commissioner McKiernan made a motion, seconded by Commissioner Markley, to go into Executive Session until 7:00 p.m. to consult with our attorneys and to discuss under the attorney/client privilege confidential matters related to pending claims and litigation as permitted under the Kansas Open Meetings Act; and that staff designated by the County Administrator be present to participate in the discussion and that we reconvene in open session at 7:00 p.m. in the Commission Chambers located on the first floor. Motion carried.

Present for the Executive Session: Bynum, Commissioner At-Large First District (arrived at 7:15 p.m.); Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eight District; and Mayor Alvey, Mayor/CEO presiding. **Staff present:** Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Henry Couchman, Senior Attorney; and Kathleen VonAchen, Chief Financial Officer.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:55 p.m.**

dt

Carol Godsil
Deputy Unified Government Clerk

August 30, 2018

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

**PLANNING & ZONING AND
REGULAR SESSION
AUGUST 30, 2018**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, August 30, 2018, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Walters, Commissioner Seventh District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell and Joe Connor, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Kathleen VonAchen, Chief Financial Officer; Rob Richardson, Director of Planning; Zach Flanders, Planner; Janet Parker, Administrative Assistant; Lynn Melton, Assistant to the Mayor; Emerick Cross, Commission Liaison; Jon Stephens, Director of Economic Development; and Captain Osvaldo Navarro, Sergeant-at-Arms.

Mayor Alvey called the meeting to order.

ROLL CALL: Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Alvey.

INVOCATION was given by Reverend Mike May of St. Luke's Lutheran Church (Retired).

Mayor Alvey recognized a couple of elected officials: Norm Scott, from the Board of Public Utilities, and Tyrone Garner, of the Kansas City, Kansas Community College Board of Trustees. Thank you for coming.

Mayor Alvey asked the Clerk if there are any revisions to tonight's agenda. **Carol Godsil, Deputy UG Clerk**, said yes, Mayor, we do have two revisions. We have a revised management agreement for a downtown grocery store. It has been submitted for regular Consent Agenda Item No. 2. Then

we have a memorandum of understanding with United Food and Commercial Workers District Union Local Two Public Safety Dispatch which has been added as Item No. 1 under the Administrator's Agenda.

I will also note that under the Planning and Zoning Consent Agenda, Item D1, Plan Review Application #PR-2018-18, Brian Hill with MKEC Engineering for a preliminary plan review for an elementary school at 8833 Waverly will be removed from tonight's agenda and rescheduled to the September 27 agenda.

MAYOR'S AGENDA

ITEM NO. 1 – 18384...PRESENTATION: WYANDOTTE COUNTY 4H SHOOTING SPORTS TEAM

Synopsis: Presentation of a signed Daisy BB Red Ryder to Mayor Alvey from the Wyandotte County 4H Shooting Sports Team who recently won first place at the Daisy BB Nationals match in Rogers, Arkansas.

Cindy Neath, 4-H, said we are the Wyandotte County 4H Shooting Sports Team. This group of wonderful kids went to the Daisy BB Nationals tournament on June 30 and they came home with the first-place prize. Mayor Alvey was wonderful enough to come visit us during our home match this year. In honor of our win, we would like to present to him a signed Daisy Red Ryder BB Gun. There is no ammo in the box. **Mayor Alvey** said congratulations.

Action: Presentation was made.

ITEM NO. 2 – 18385...VOTING DELEGATES: KANSAS ASSOCIATION OF COUNTIES (KAC) CONFERENCE

Synopsis: Designation of Commissioner Philbrook as voting delegate and Commissioner Burroughs and Bridgette Cobbins as alternate voting delegates for the Kansas Association of Counties (KAC) 43rd Annual Conference to be held in Overland Park, KS.

Action: **Commissioner Murguia made a motion, seconded by Commissioner Kane, to approve.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 18392...BUDGET REVISION: CONVICTION INTEGRITY UNIT

Synopsis: The Unified Government 2018 Amended and 2019 Approved Budget set aside funding for a Conviction Integrity Unit within the District Attorney’s Office to be held in a special account until authorization for expenditure by the full Commission. Per Commission action, this funding was to be held until an opinion from the AG was provided. That opinion has been provided, thus this action is submitted to allow the District Attorney to move forward as planned by the Commission in the fourth quarter (October 1) of this year. Request submitted by Kathleen VonAchen, Chief Financial Officer.

Mayor Alvey said on July 19 of this year, District Attorney Dupree came in front of the budget meeting asking for funds for the Conviction Integrity Unit. On July 30, the subject matter was discussed again. At that time, the Commission decided to put it into a contingency fund. I’ll entertain a motion to move that money from the contingency fund back into the budget of the District Attorney.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Burroughs, to approve.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Mayor Alvey said tonight, we have two distinct parts to our meeting. The Planning and Zoning portion will be handled first, followed by the regular Commission meeting. I’d ask the Clerk to read the statement, required by state law, governing the Planning and Zoning portion of our meeting followed by the items on the Planning and Zoning Consent Agenda.

Carol Godsil, Deputy UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

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PLANNING AND ZONING AGENDA

Carol Godsil, Deputy UG Clerk, asked if any members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning and Zoning Agenda.

Commissioner Philbrook said I want to report contact for Vacation Alley Petition #A-2018-5 with proponents.

Ms. Godsil read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the Planning and Zoning Consent Agenda. If an item is not set aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

CHANGE OF ZONE APPLICATION

ITEM NO. 1 – 18375...CHANGE OF ZONE APPLICATION #3166 – KENNETH MILLER

Synopsis: Change of zone from A-G Agriculture District to R-1 Single Family District to divide lots with existing residential homes at 13120 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The applicant has applied for a change of zone, preliminary plat, and final plat to create five single family lots and a larger, agriculturally zoned lot. The proposed subdivision includes a replat of Miller Acres and 17.49 acres of unsubdivided property for a total of 20.62 acres. This application has been submitted in conjunction with zoning variance petition #2292 to create a lot that has a depth that exceeds three times the width (approved by the Board of Zoning Appeals on August 13, 2018.) The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3166, subject to:

Urban Planning and Land Use Comments

Subject to approval, a \$50 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners' meeting.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None
2. Items that are conditions of approval (stipulations): None
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition #3166, subject to the stipulations. Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 18376...SPECIAL USE PERMIT #SP-2018-63 – ANDREW MORGANS WITH MARKNOLOGY LLC

Synopsis: Home occupation special use permit for an Airbnb at 616 Elizabeth Avenue, submitted by Robin Richardson, Director of Planning. The applicant wants to operate an Airbnb at his primary residence, 616 Elizabeth Avenue. Mr. Morgans lives in the house and rents one bedroom through Airbnb. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-63, subject to:

Urban Planning and Land Use Comments

1. How long has the business been in operation?
Applicant Response: April 23, 2018.
2. Were neighbors consulted prior to opening the business?
Applicant Response: No.
3. Do you have a business license?
Applicant Response: No.

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4. Have you paid appropriate lodging taxes?
Applicant Response: Yes, as far as I am aware.
5. How many rooms are rented?
Applicant Response: One, unless I am out of town or it is specifically requested by a traveler, then it is two.
6. What is the maximum number of people that will be staying at any one time?
Applicant Response: If one bedroom is occupied – 2 people. If two bedrooms are occupied – 4 people. We have a note in our Airbnb that it is a two car maximum. We also have video cameras installed to be able to see how many guests are at our place.
7. What is the maximum number of vehicles and where will they park?
Applicant Response: There is street parking available. Also, there is a brand-new parking pad/slab in my backyard.
Staff Response: While parking is available on both sides of the street, onstreet parking is often a source of concern and conflict for neighbors. To minimize this concern, renters shall be restricted to two vehicles – one parked in the rear and the other parked on the street.
8. How often are guests in the residence?
Applicant Response: This depends. Sometimes my guests are only here from 4:00 PM and gone by 11:00 AM. I have quite a few visitors that stay in my one bedroom because it is a great bnb to grab a night of sleep on a road trip. My longest guest stayed here five days total. With respect to day-to-day hours, most of the travelers are out in the city the majority of the day and rarely at my residence.
9. Do you have a rental license from the Unified Government for the facility?
Applicant Response: No.
10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bedrooms, bathrooms, common areas, etc.
Applicant Response: The guests have complete access to my common areas to include my kitchen, laundry room, and bathroom. Aside from that, they have a bedroom which has a queen bed.
11. How often are you at the property? How often do you travel? Staff has concerns that if you're out of town and an issue arises for neighbors, you are not physically there to address the situation.

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Applicant Response: I am at the property often and travel several times a month. I have met all of my immediate neighbors and introduced myself. I create a contact guide for any one that needs to reach me, or my staff at my company and even included a Spanish speaking contact number. I am also going to be participating at the Strawberry Hill Association meetings after our meeting with the neighbors, which I think the next one is in August. So that will give me some face time with anyone else that would like my contact information. I believe I can get the local police officers' contact information.

I also met Drocky, who seems to be the local neighborhood watch leader, and knows everything about the neighborhood. He came to the house to meet me although he was not at the meeting.

12. Who is the point person for any issues that may arise?

Applicant Response: Points of Contact in Case of Emergency:

- Spanish:

- o Sebastian Brunos – (913) 747-8270 (employee)

- English:

- o Andrew Morgans – (816) 447-8963

- o Veronika Morgans – (816) 522-0539 (sister to Andrew)

- o Brian Glasser – (702) 845-6296 (co-host for when I am out of town)

13. Do your neighbors have your contact information?

Applicant Response: Yes, they do.

14. In addition to no parties and events, as associated with Airbnb and other website bookings, no outside visitors, and only overnight guests who have a reservation are permitted to stay.

Applicant Response: This is correct, no one other than who has committed to stay is allowed.

I do have overnight guests myself, but that is not an Airbnb issue.

15. Weekday and weekend quiet time shall be at 10:00 PM.

Applicant Response: My guest rules are attached to this email but pasted below.

Business License Comments

If approved, applicant will need to file the occupation tax application with our office for the business activity.

Public Works Comments: None

Stipulations for Approval

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1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed.
 - d. Copper cannot be used for gas supply lines.
 - e. Windows must be operable, not blocked or boarded.
 - f. Handrails are required at sets of 4 or more stairs/risers.
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe.
2. Host will obtain a business license with the City for the property.
3. The maximum number of guests is limited to four people (not including an infant/child).
4. Only one additional (guest) car is permitted.
5. Quiet hours begin daily at 10:00 PM.
6. Approval is for one year because while the applicant lives in the home, he intends on renting the entire residence (two bedrooms) when he is out of town.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2018-63 for one year, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 18377...SPECIAL USE PERMIT #SP-2018-65 – JOSEPH COLLINS WITH STRAWBERRY HILL BREWING COMPANY

Synopsis: Special use permit for a drinking establishment and microbrewery operation at 601 Central Avenue, submitted by Robin Richardson, Director of Planning. The applicant has applied for a special use permit to operate a microbrewery and drinking establishment at 601 Central Avenue. The property includes a 975-foot area for the bar and seating area as well as production space, bathrooms, and other ancillary space. The property also has a one-bedroom apartment on the second floor and one parking spot for the apartment tenant. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-65, subject to:

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Urban Planning and Land Use Comments

1. A variance for parking will be required to operate this business. This application has been submitted with zoning variance petition #2290 for the number of parking spaces.
2. See information related to hours, security, and operations of the business in the additional information attached to this report.
3. Must comply with City Codes related to security.
4. If live entertainment (karaoke, comedy, bands) is ever added, a special use permit for live entertainment must be obtained prior to events.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations): Vehicles shall not be parked in the Right of Way of Central Avenue in front of the property.
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2018-65 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 18378...SPECIAL USE PERMIT #SP-2018-67 – ROBERT DIMOND JR. WITH D.A. GROUP, INC.

Synopsis: Special use permit for the expansion of an existing automotive repair business at 1017 Merriam Lane, submitted by Robin Richardson, Director of Planning. The applicant is seeking approval for his client to operate an automotive business at 1017 Merriam Lane. The operator would share the space with the existing automotive repair business at this location. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2018-67 subject to:

Urban Planning and Land Use Comments

1. Subject to approval, this special use permit shall be valid for two years.

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2. Please provide a more detailed description of the use and what the operation will entail.
Applicant Response: The business entails routine automotive maintenance, the diagnosis and repair of passenger vehicles, typically involving the replacement of various parts and assemblies. No body work is performed at this operation. Vehicles are stored after business hours either in the shop or in a fenced enclosure on the property.
3. The parking lot shall be restriped and resurfaced, as the paving material has become degraded.
4. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Kansas City, Kansas Business Licensing Department.
5. No displays on the sidewalk, this includes signs, pennants, attention attracting devices, etc.
6. The applicant and building owner shall comply with all the stipulations prior to the special use permit becoming valid and the applicant opening their business.

Business License Comments

Will this be a co-occupying business activity? Yorkies Foreign Car Service has filed the occupation tax and has been operating at this location since 1985 and is currently renewed for this calendar year. Anders Automotive has filed an occupation tax application and has been operating at 1031 Merriam since 2013.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval:
 - a. Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
 - b. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
2. Items that are conditions of approval (stipulations): None.
3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan to approve Special Use Permit #SP-2018-67 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

VACATION APPLICATION

ITEM NO. 1 – 18379...VACATION APPLICATION #A-2018-5 - WIL ANDERSON WITH BHC RHODES

Synopsis: Vacation of an alley between 444 Shawnee Road, 411 Stine Avenue, 1417 South 5th Street and 448 Shawnee Road, submitted by Robin Richardson, Director of Planning. The applicant, on behalf of the owner, Blair Thedinger, wants to vacate portions of the alley that is behind Mr. Thedinger’s residence to consolidate the parcels he owns into one parcel. The Planning Commission voted 8 to 0 to recommend approval of Alley Vacation Application #A-2018-5, subject to:

Urban Planning and Land Use Comments

1. Subject to approval, a \$50 ordinance publication fee must be submitted to the Urban Planning and Land Use Department following the Unified Government Board of Commissioners’ meeting.
2. Subject to approval, following the Board of Commissioners’ meeting, contact the GeoSpatial Services Department to consolidate the lots for land use purposes except 444 Shawnee Road and 448 Shawnee Road because there are two existing single-family homes.
3. Per Jennifer Taylor with AT&T: AT&T has buried facilities in the alley between 1417 South 5th Street and 415 Stine Avenue, which is listed under the vacation application. We will need a utility easement in order to maintain our facilities. This may apply to other utilities as well. Please verify and confirm all utilities.

Public Works Comments

1. Items that require plan revision or additional documentation before engineering can recommend approval: None.
2. Items that are conditions of approval (stipulations):
 - a. Applicant to confirm with other utilities if utility easements exist in the alley.

- b. The County Surveyor makes separate technical review of the vacation and survey exhibit documents and submits comments directly to the preparer of the survey. Provide revised vacation and survey exhibit documents in accordance with County Surveyor comments
- 3. Comments that are not critical to engineering's recommendations for this specific submittal but may be helpful in preparing future documents: None.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #A-2018-5, subject to the stipulations. Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 18380...PLAN REVIEW PETITION #PR-2018-18 – BRIAN HILL WITH MKEC ENGINEERING (BRUNE ELEMENTARY)

Synopsis: Preliminary Plan Review for an elementary school at 8833 Waverly Avenue, submitted by Robin Richardson, Director of Planning.

Action: Previously removed from the agenda and rescheduled to the September 27, 2018 agenda.

MISCELLANEOUS – ORDINANCES

ITEM NO. 1 – 18328...ORDINANCE

Synopsis: An ordinance rezoning property at 950 and 952 Kansas Avenue (#3163) from C-3 Commercial District to MP-1 Planned Light Industrial and Industrial Park District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-31-18**, "An ordinance rezoning property hereinafter described located at approximately 950 and 952 Kansas Avenue in Kansas City, Kansas, by changing the same from its present zoning of C-3 Commercial District to MP-1 Planned Light Industrial and Industrial Park District." **Commissioner**

Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 18333...ORDINANCE

Synopsis: An ordinance vacating an alley between 609 and 631 Central Avenue (#A-2018-3), submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-32-18**, “An ordinance vacating a tract of a land being a part of Whipple’s Addition To Riverview, located between 609 and 631 Central Avenue, Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 18334...ORDINANCE

Synopsis: An ordinance vacating a utility easement at 4807 North 124th Court (#U/E-2018-4), submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-33-18**, “An ordinance vacating all that part of a 10 feet wide Utility Easement located on Lots 6 and 7, Canaan Lake West, Phase 1, located at approximately 4807 North 124th Court, Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

PLANNING AND ZONING NON-CONSENT AGENDA

No items

REGULAR CONSENT AGENDA

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the regular Consent Agenda. If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

Doug Bach, County Administrator, said I'd like to set aside Item No. 2, a Management Agreement for the downtown grocery store for a presentation.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve all items, excluding the set-aside.** Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 1 – 18389...COMMUNICATION: PROPOSED HOLIDAY SCHEDULE

Synopsis: A communication submitting a proposed 2019 holiday schedule, submitted by Bridgette Cobbins, UG Clerk.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

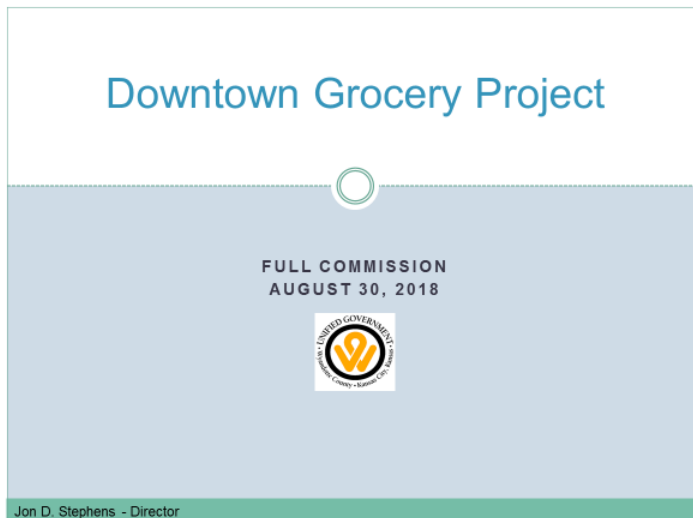
ITEM NO. 2 – 18351...RESOLUTION: MANAGEMENT AGREEMENT FOR DOWNTOWN GROCERY STORE

Synopsis: A resolution authorizing the approval of a Management Agreement with Community Mercantile (the Merc) for a downtown grocery store (5th & Minnesota Avenue), submitted by Jon Stephens, Economic Development Director. On August 20, 2018, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Doug Bach, County Administrator, said we are very proud to come forward tonight with a management agreement for a downtown grocery store with MERC grocer. I'm going to recognize

our Economic Development Director Jon Stephens to come forward this evening to make a presentation regarding this item.

Jon Stephens, Economic Development Director, said I'm very proud to bring before you tonight the downtown grocery project that was presented last Monday night at the Economic Development & Finance Standing Committee and advanced to tonight. As Mr. Bach said, the three resolutions that were considered that were on Consent, the management agreement with the Merc Co-op. I wanted to take a moment to recognize several staff members, the general manager and board members of the Merc. I wanted to recognize them in their attendance here tonight and their continued work in the community in advance of this meeting.



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Process

2

Commission Process

- **Tonight's Consent Agenda:**
 - *Resolution No. 1:* Authorize the execution of the Management Agreement with MERC
 - *Resolution No. 2:* Authorize CAO to expend up to \$6 million for planning, design and construction of a downtown grocery facility
 - *Resolution No. 3:* Set the public hearing date to establish the Downtown Grocery TIF District
- Resolutions advanced unanimously from ED&F on August 20th.
- Public Process Update:
 - Planning Commission (Sept 10th)
- Internal Process Update:
 - Architect begin work
 - Engineering, traffic et al
 - RFP: General Contractor
 - Public Works, BPU

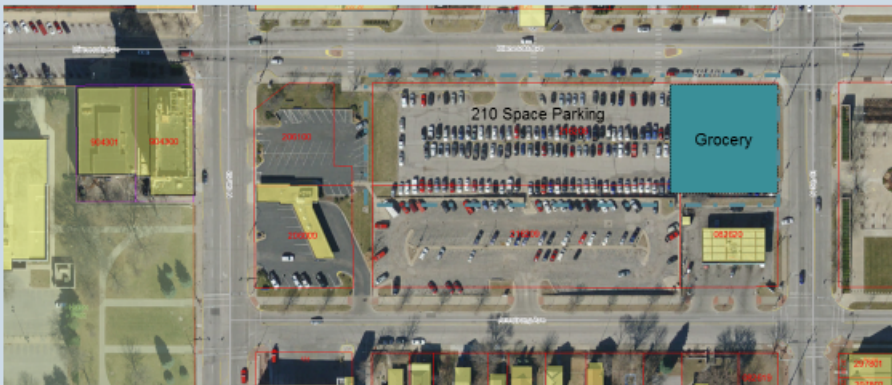


The resolution was advanced on the 20th from ED&F. It will be heard, if advanced tonight, on September 10th Planning Commission. The internal process on this would be to begin architectural design and engineering work immediately upon approval, and issue an RFP for the general contractor, and begin work with Public Works and BPU.

The Project

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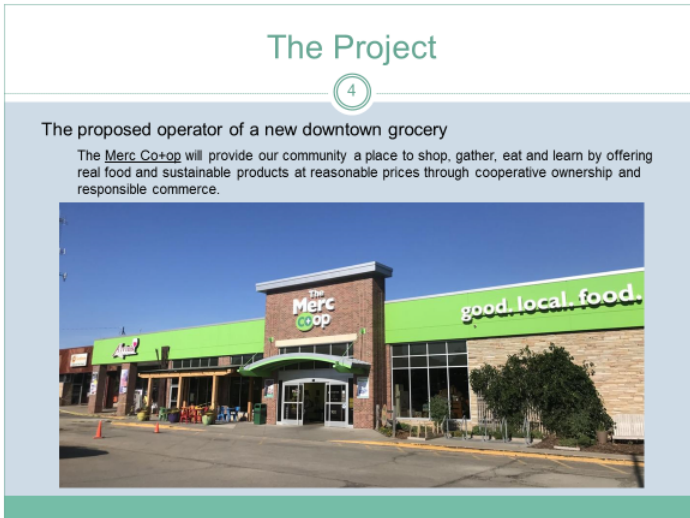
Location of the new downtown grocery store -- 5th Street & Minnesota Avenue



The general location of the grocery store is along Minnesota Avenue and 5th, on the corner you can see it recognized here. It is commonly referred to as the Reardon lot. That's a UG-owned parcel

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that's currently a parking lot. It will be built directly across the street from the KU Strawberry Hill Health Campus and along a major pedestrian transit and multi modal corridor.



This is an image of the Merc Co+op in Lawrence; their founding location, other location. I think it's important to highlight that it's a place to shop, gather, eat, and learn by offering real foods and sustainable products at reasonable prices through cooperative ownership and responsible commerce. We think that they are a fantastic partner for KCK and our neighborhoods.

The Project

5

Location of the new downtown grocery store - Enhancements



Another piece of this would be parking. As we look at the continued growth and evolution of downtown and connecting into the northeast communities: the Strawberry Hill neighborhoods, and points north, south, and west, we've taken a look at our roadway improvements around all four sides of this and looked at adding, through simply a centerline change, adding approximately 110 on-street parking spaces. There had been some questions about parking and accessibility to this grocery. We're looking at how we make sure to address that.

The Project

5

Location of the new downtown grocery store - Enhancements



So the plan before you is to develop and construct a 12,000 – 14,000 sq. ft. full-service grocery store that the Merc Co+op will operate under a management agreement with the Unified Government. It's proposed as a total up to \$6M development. If budget allows and there's interest and a need for services within the neighborhoods and the community, we have talked to the architects about offering additional square footage for retail if that is a necessity and there is a need for things such as potentially a pharmacy or other elements that might be desirable and available to the community.

I'm also proud to announce that in discussions with the BPU, they have agreed and committed to making this facility 100% renewable energy sourced. That's another very nice piece of this puzzle.

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The Merc

6

The Merc Co+op

The UG will develop a proposed 12,000-14,000 sq/ft full-service grocery store. The Merc will operate under a Management Agreement. The project is proposed as a \$6 million development.

- If budget allows up to 3,000 sq/ft of additional retail space might be constructed for other needed services.
- 100% renewable energy will power the grocery store.

Why the Merc?

- They've been interested in KCK from the beginning.
- They have experience operating a high quality full-service grocery.
- As a co-op they are focused on local relationships, local neighborhood needs and building community benefits.
- They are committed to being responsive and stocking what the community wants.
- They buy local and partner with local food growers.
- The Merc provides food education; including cooking classes and healthy eating programs.
- Their ideal store size is one that is financially viable for us to construct, and we believe it will be financially successful to operate.



I think it's important for the community to understand why the Merc. After months of looking at grocers, years of looking at grocers and talking to grocers, months of working with the Merc, why the Merc? They've been interested in KCK from the beginning. They've been engaged in our community top to bottom. They've done their due diligence. They have a high degree of experience in operating a full-service grocery store. They are focused on local relationships, local neighborhood needs and building community benefits. They are committed to being responsive and stocking what the community wants.

I must also say, they have already been in the community talking to neighborhood leaders, engaging with the neighbors, and really discussing what products and how this store should be operated, the products that should be offered, and we think that they have made great progress, and we are confident they will continue to make more.

They buy local and partner with local food growers. Just a few weeks ago when I was at their Merc location in Lawrence, they had a sign up that there were 11,172, I believe, locally sourced products currently for sale on their shelves. That is impressive, and they already have relationships with growers and producers in Kansas City, Kansas, and Wyandotte County. I'm certain that they will deepen those relationships.

Another important one, especially after the special session talking about health outcomes, is they offer food education. Part of our management agreement, part of the design of this, will be a classroom space. A space for their health staff members to offer cooking classes, healthy eating classes, programs for hypertension, cooking for hypertension, cooking for diabetics. A lot of different classes. I don't even know all the different classes, but I know they offer a lot of great

offerings for the community that we think will ultimately benefit the community on a day-to-day, week-to-week, and long-term basis.

Then, also, their ideal size is operating a 14,000 sq. ft. grocery store in a really, kind of a high-density, full-service way. It's one that's financially viable for the Unified Government to fund and construct and it's more of a full-service, I would say a city style and sized grocery store.

The Merc

7

99¢

Save \$3
True Story Uncured
Beef Hot Dogs
10 hot dogs
\$2.99

Save \$2.50
Pasta, Chicken
& Hamburger
\$5.99

2/15
Pasta, Hot Dog
& Hamburger
\$5.99

13.99
Game-Water Sugar
Free Paper Bag
\$13.99

Save \$3.00
Wild Caught
Pork Chops
\$13.99

2/14
Bacon
\$14.99

2/15
Late July
\$14.99

Join us for a class!

Pick up our Grocery Guide flyer to find more great ways to save!

The Merc has already engaged the Northeast and Downtown communities to determine the desired mix of products, prices, and programs.

Other questions about how they promote, how they offer, and how they stock their products. I just want to highlight the assortment of food products. They've already been engaged in the community and discussing not just price points, but types of food, mix of food, and types of skewers. These are some of their ads and an actual photo from their shelves.

Project Financials

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The Merc Co+op Project Financials

- The project is envisioned as a \$6 million project
- The cost includes all construction costs, FF&E, grand opening and stabilization fund.
- The project will be funding through:
 - Direct UG use of the Hotel Revenue Fund
 - Sales Tax & Property Tax TIF will also be used to recoup expenditure.
- No CID will be utilized to ensure sales tax on food is not increased
- Project is designed to provide for a long-term stable and successful grocery downtown.
- Project is designed so that the building can be sold to a private entity in the future and the revenue redeployed to future UG development needs.



The image shows a tall, green sign for 'The Merc Co+op'. The sign has a white top section with the logo 'The Merc Co+op' in green and white. Below the logo, the sign lists several offerings in white text: 'Local & Organic Produce', 'Quality Meat & Seafood', 'Fresh Deli', and 'Coffee & Juice Bar'. The sign is set against a blue sky and a street scene with cars and buildings in the background.

The project, as we said, will be up to a \$6M project, all inclusive. That is construction, fixtures, finish, grand opening and stabilization fund. The funding will be through direct UG use of the Hotel Revenue Fund, as well as sales and property tax TIF that is in the agenda tonight.

There will be no CID. A CID was considered, but here with Kansas having a 6.5% sales tax on food, it was really deemed that adding more burden on a sales tax at this location, in this offering, it was just not the ideal way to do this. We did not want to do that. In discussions within the Unified Government, as well as external, we determined not to pursue the CID for this project.

The project is designed to provide a long-term stable and successful grocery store with the stabilization fund model.

The project is designed so the building can be sold to a private entity, potentially sold to the Merc as a revenue model for them going forward, or we could continue a new-lease program.

Project Financials

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- **OPERATING STABILIZATION GUARANTEE**

- The Merc and the UG share the risk and reward
 - If loss, then 50/50 split for first three (3) years
 - If profit, then Merc pays a portion of revenues to the UG
- UG max contribution over 3 years = \$540,000

Schedule of Quarterly Sales Stabilization Benchmarks			Contribution %	Quarterly Cap
1st Year	Q3	\$ 700,000	50%	\$ 100,000
	Q4	\$ 728,000	50%	\$ 100,000
2nd Year	Q1	\$ 764,000	25%	\$ 50,000
	Q2	\$ 803,000	25%	\$ 50,000
	Q3	\$ 771,000	25%	\$ 50,000
	Q4	\$ 802,000	25%	\$ 50,000
3rd Year	Q1	\$ 837,000	15%	\$ 35,000
	Q2	\$ 875,000	15%	\$ 35,000
	Q3	\$ 845,000	15%	\$ 35,000
	Q4	\$ 875,000	15%	\$ 35,000

- MERC commitment to operate for 3 years

You can see a little bit of the funding sources. The estimated cost of construction, building this out, project contingency, as well as the potential stabilization guarantee. I must highlight the potential stabilization guarantee. This is codified in the system over a three-year model. After they open where they share, if there are losses below the agreed to quarterly sales benchmarks, we would share in coverage of those losses equally with the Merc and you see that they continue to decline as the store stabilizes and performs.

I must also highlight that if they open with great success and continue with great success from day one, those dollars will never be touched or utilized in this program.

Management Agreement

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The Merc Co-op Project Status

- The Management Agreement terms was unanimously approved by the Merc Board of Directors on August 6th.
- The agreement includes:
 - Hours of operation
 - Services
 - Community benefits
 - Financial structure
- The UG has vetted the location and has assembled cost projections.
- The UG team has architects and engineers ready to begin work.



Another picture of the inside within the management agreement. Proud to say that the Merc Board of Directors approved the management agreement on their end on August 6th. The agreement includes hours of operation to ensure that they are open and available to our citizens and our neighbors. The services that will be provided, the community benefits that they will provide, as well as the overall financial structure for operation.

The UG has vetted the location and assembled cost projections, and we have architects and engineers ready to begin work.

Management Agreement

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Options & Opportunities

- The grocery project allows for the UG to proceed with design/construction of the grocery store while also continuing to work with possible master – developers for other portions of the project area.
- Project may include more retail and residential in future phases (through a private developer).
- We are working with neighborhood stakeholders to determine what other services are needed in the area. Discussions have included a Farmers Market and a pharmacy.



The options and opportunities. The project allows for us to proceed with design and construction of the grocery. We'll also continue to work with possible master developers. That's a large block. There's a lot of interest. There is burgeoning interest in projects that we can build onto, but there

was really the belief that we must put this grocery stake in the ground for our citizens and for the potential future phases of development in downtown.

Next Steps

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Next Steps & Timing

- September:
 - Begin architectural design
 - Begin design and construction bid process
 - Continue discussions with development partners additional retail
 - Continue work on alternative funding sources to further leverage UG investment.
- October:
 - Reach final cost estimate and design program
 - Determine groundbreaking and construction timeline
 - **Update Standing Committee (ongoing)**



The next steps, as I wind up this presentation for you this evening, is if the Commission approves this project this evening, we will begin architectural design in the month of September. We will begin ground geotech survey, all of the assessments on the parcel, and we will continue discussion with other development partners considering potential retail, additional retail needs. As I mentioned, a pharmacy is another one that is scoring high on the public interest list. We'll continue to work with alternative funding sources to further leverage this UG investment.

By October, we believe we will be reaching final cost estimates and design program. We will be able to determine by the end of October the schedule for groundbreaking and a construction timeline, weather pending.

Then, I want to point out also, that we will continue to update standing committees in an ongoing manner related to the design, construction, and process as we go through this.

Commission Consent Agenda

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- **Item No. 1 – RESOLUTION: MANAGEMENT AGREEMENT FOR DOWNTOWN GROCERY STORE**
 - Authorize the execution of the Management Agreement with MERC
- **Item No. 2 – RESOLUTION: PLANNING, DESIGN CONSTRUCTION AND STABILIZATION FUND FOR A DOWNTOWN GROCERY STORE**
 - Authorize CAO to expend up to \$6 million for planning, design and construction of a downtown grocery facility
- **Item No. 3 – RESOLUTION: SET PUBLIC HEARING DATE FOR DOWNTOWN GROCERY REDEVELOPMENT DISTRICT**
 - Set the public hearing date to establish the Downtown Grocery TIF District

The Project

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Questions & Answers



Mayor Alvey said thank you, Jon. Thank you for all of your team and thanks also to the team from the Merc for cooperating and putting together this deal. This is a key location in our community. I think the hope—I am confident that location, it's accessibility to downtown Kansas City, Missouri, and to other parts of the metro area, is going to bring in not just our residents, but folks from outside so we're very confident in that. In my estimation, this is going to be a financially sustainable project. It is already generating great interest in the downtown area as with the announcement by KU to locate there. A lot of really good things happening here, and I believe this is really going to take off.

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Commissioner Kane asked do we have to have public comments. **Doug Bach, County Administrator**, said no. There's no public hearing on this. There is a public hearing scheduled by another approval for October 11 on the TIF District. **Commissioner Kane** said okay.

Commissioner Kane said they built these stores before so from start to finish, how long do you think it will take? **Mr. Stephens** said we believe if all goes as planned on the ground and the geotech, we're building from the ground up but on a slab site, I'm optimistic that if we have another mild winter, we're looking at 12 to 16 months of timing in this. **Commissioner Kane** asked when do you think this would start? **Mr. Stephens** said I think we're looking at probably fall of 2019. I will caveat. That is an incredibly aggressive timeline, but I do think given the style of construction and if we're able to move everything through as we anticipate, we're really hopeful that we can move this and have this opened and available in a matter of months, not years. **Commissioner Kane** said it would be the fall of '20 before it'd be done. **Mr. Stephens** said no. No, I'm saying we will look at having this building under construction by potentially spring of 2019, winter to spring 2018-2019 within 14 to 18 months total from today having that opened. **Commissioner Kane** said it's amazing to me that a grocery store has more importance than a fire station.

Commissioner Townsend said you already said; Mr. Bach already stated that there will be time for a public hearing. When will that date be set? **Mr. Bach** said we set it for October 11. **Commissioner Townsend** said October 11 for a public hearing. **Mr. Bach** said for the TIF district around this.

A woman in the audience asked is there a \$75 membership fee.

Mr. Stephens said the cooperative model is a fully opened accessible with set price points for all users, all purchasers, at all times. The membership model that they've set is to participate as a member, and that's by choice. That does not impact your use of the grocery store, hours of the grocery store, or price points at the grocery store. **Mayor Alvey** said in other words, you do not have to purchase a membership. **Mr. Stephens** said you do not have to be a member to shop at the grocery store. Absolutely not.

Commissioner Townsend said with the presence of some of the Merc Board members here, I just wanted to express my appreciation for your willingness to come into our community and provide a much needed, much desired amenity as a grocery store here. We've been close before; we couldn't say the first time. I visited a Merc location, it was over a year again in Lawrence. I was not a member there. I did make a purchase. They didn't distinguish between who was and who was not. I would encourage start saving your money now so you can buy a membership. Once the store comes here, we want it to be our store. I'm encouraging everyone in the community to support it, to take care of it from what you purchase there to watching other eyes who may drop trash, five-finger discount. We don't want any of that going on. This is something we we've sought a long time and it is going to be a much needed, a much desired improvement. We, the people in KC here, are going to prove that to you as you come with faith to us. That's what I wanted to say while they're here. Thank you. We look forward to everyone here coming out who wants to make a comment at the public meeting, it's just not today. I did want to make that comment.

Commissioner Philbrook said I was extremely pleased that this has happened. I was very curious because I went up there too. I made a trip up to Lawrence to check out their facility. I have to tell you, it's one of the few times I've actually gone into a store and thought it was kind of fun to shop because I got to look at all the pictures of the different people that are growing the food or producing the food that you get to buy from. It makes it very personal. They have a lot of variety. They have a lot of things you don't see at our stores here. A lot of fun. I think there are—the people that live in Wyandotte County are so varied that they're going to be handling up here a lot of the same stuff that they're handling down there and that's very unusual produce. I'm really looking forward to seeing this. I will have a membership. I guarantee you. I did buy down there and the food and everything was great. Thank you very much for being here. I hope you're very successful here, and I'll do everything I can to help make this. I'll be down there.

Commissioner McKiernan said I will echo Commissioner Townsend's thanks for all the hard work that everyone has put in on this project.

Action: **RESOLUTION NO. R-36-18**, “A resolution authorizing the Mayor/CEO to enter into a grocery store management agreement with the Community Mercantile, Inc. (the Merc) to construct a 12,000 to 14,000 sq. ft. full-service grocery store located at 5th and Minnesota.” **Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Alvey.

ITEM NO. 3 – 18352...RESOLUTION: PLANNING, DESIGN, CONSTRUCTION AND STABILIZATION FUND FOR A DOWNTOWN GROCERY STORE

Synopsis: A resolution authorizing the County Administrator to enter into contracts for the planning, design, construction and stabilization reserve fund for a downtown grocery store, in an amount up to \$6M, submitted by Jon Stephens, Economic Development Director. On August 20, 2018, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-37-18**, A resolution authorizing the County Administrator to enter into contracts for the planning, design, construction and stabilization reserve fund of a downtown grocery store, in an amount up to \$6 Million dollars.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 4 – 18353...RESOLUTION: SET PUBLIC HEARING DATE FOR DOWNTOWN GROCERY REDEVELOPMENT DISTRICT (TIF)

Synopsis: A resolution setting a public hearing date of October 11, 2018, to consider the creation of a Downtown Grocery Redevelopment District located between 5th and 6th Street, Minnesota Avenue and Armstrong Avenue, submitted by Jon Stephens, Economic Development Director. On August 20, 2018, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-38-18**, “A resolution calling and providing for notice of a public hearing on the advisability of creating the Downtown Grocery Store Redevelopment District in the Unified Government of Wyandotte County/Kansas City, Kansas, pursuant to K.S.A. 12-1770 et seq.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Markey, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 5 – 18388...PLAT: ROSEDALE MIDDLE SCHOOL

Synopsis: Plat of Rosedale Middle School located along Booth Avenue between Rainbow Blvd. and Southwest Blvd., being developed by USD #500 of Kansas City, Wyandotte County, Kansas, submitted by Brent Thompson, Director of Engineering/County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 6 – 18354...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Planning and Zoning Commission, Steve Neal, 8/30/18 to 3/31/20, submitted by Commissioner Murguia

Library Board, Pat Garmon, 8/30/18 to 3/31/20, submitted by Commissioner Murguia
Self-Supported Municipal Improvement District, Albert Deleon, 8/30/18 to 3/31/20, submitted by Commissioner Murguia

Advisory Commission on Human Relations & Disability Issues, Don Jolley, 8/30/18 to 3/31/22, submitted by Commissioner Kane

Golf Advisory Board, Jeff Manning, 8/30/18 to 3/31/18, submitted by Commissioner Kane
Housing Authority, Jacques Barber, 8/30/18 to 3/31/22, submitted by Commissioner Kane
Law Enforcement Advisory Board, Scott Mackey, 8/30/18 to 6/30/22, submitted by Commissioner Kane

Library Board, Angela Lawson, 8/30/18 to 3/31/22, submitted by Commissioner Kane
Planning and Zoning Commission, Jeff Carson, 8/30/18 to 3/31/22, submitted by Commissioner

Kane

UG Board of Park Commission, Craig Howell, 8/30/18 to 3/31/22, submitted by Commissioner Kane

Wyandotte/Leavenworth Area Wide Advisory Council on Aging, Deloris Pinkard, 8/30/18 to 3/31/20, submitted by Commissioner Kane

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 7 – MINUTES

Synopsis: Minutes from regular sessions of July 12 and 26, 2018; and special sessions of July 16, 19, 23, 26, and 30, 2018.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 8 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 2, 9, 16, and 23, 2018.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to receive and file. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES’ AGENDA

No items

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 18391...RESOLUTION: MOU WITH UNITED FOOD & COMMERCIAL WORKERS DISTRICT UNION LOCAL TWO PUBLIC SAFETY DISPATCH DIVISION

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the United Food & Commercial Workers District Union Local Two Public Safety Dispatch Division, effective January 1, 2018 through December 31, 2019, submitted by Ken Moore, Chief Counsel. This represents the ninth of 12 union labor contracts to be ratified.

Doug Bach, County Administrator, said this is a blue sheet that was submitted as we finalized and received signature on our contract with United Food & Commercial Workers, which is our dispatcher's union. This contract is put together in accordance with the direction of the Commission regarding our labor negotiations. I would recommend approval.

Action: **RESOLUTION NO. R-39-18**, "A resolution authorizing that the County Administrator to execute a Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the United Food & Commercial Workers District Union Local Two Public Safety Dispatch Division, effective January 1, 2018 through December 31, 2019." **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

COMMISSIONERS' AGENDA

ITEM NO. 1 – 18390...TRAVEL REQUEST: COMMISSIONER PHILBROOK

Synopsis: Request to travel to Wichita, KS, to attend the 2018 Workforce Innovation and Opportunity Conference, hosted by the Kansas Department of Commerce, the Kansas Board of Regents, and the Kansas Department for Children and Families, submitted by Commissioner Philbrook.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve. Roll call was taken and there were nine “Ayes,” Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Mayor Alvey adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Does any member of the Commission or anyone in attendance tonight wish to set-aside any item on the Land Bank Consent Agenda? If an item is not set-aside all items on the Consent Agenda will be voted on by one vote.

ITEM NO. 1 – 18349...LAND BANK BUSINESS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board has recommended approval. On August 20, 2018, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Applications for yard extension, unless noted otherwise
 1710 State Ave. - Miguel Morales
 4218 Orville Ave. - Maria Cervantes
 2066 Springfield Blvd. - Jeanne Johnson
 1108 Greeley Ave. - Rene Ojeda
 1217 Georgia Ave. - Jovan Ledbetter
 1052 Barnett Ave. - Joseph Sajiv
 1873 N. 27th St. - Ioan Porta
 259 S. Bethany St. - Jose Ordaz
 2569 Cissna St. - Deborah Cunningham
 1045 Waverly Ave. - Yvonne Porter
 1334 Rowland Ave. - Teola Tillman
 1223 Haskell Ave. - Christopher Connor
 714 N. 10th St. - Mario Jimenez
 710 N. 10th St. - Mario Jimenez, property acquisition
 3443 N. 33rd St. - James Jackson, property acquisition
 1959 Garfield Ave. - Phillip Fracul, property acquisition
 3706 N. 37th St. - Albert Walker, property acquisition
 610 Quindaro Blvd. - Paula Howard, property acquisition

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1708 Walker Ave. - Kenia Cruz, property acquisition
 4315 Ann Ave. - Jeffrey Bowker, property acquisition

Transfer to Land Bank

3815 Strong Ave. - Argentine Neighborhood Development Association (ANDA)
 (Property has a large drainage ditch which covers about half of the property, so it is not suitable for development. Work was to be done to the property by the city which would allow development of the property. ANDA would like to transfer this property to the Land Bank until this work can be completed.)

Donations to Land Bank (vacant lots), unable to maintain property to UG standards, unless noted otherwise

3100 Haskell Ave. - Henderson-Davis Holdings, LLC

912 New Jersey Ave. - Jura Williams

710 N. 78th St. - Mary Ellen Fielden, hoped for development in the area and selling it; doesn't believe a developer purchasing it will happen

3608 Garfield Ave. - Peggy Graham

1018 Washington Blvd. - Rachel Rozell, thought property was going to tax sale/Land Bank, no longer wants property

1028 Richmond Ave. - Rachel Rozell, thought property was going to tax sale/Land Bank, no longer wants property

2500 Park Dr. - Joseph Reye

(Commissioner Murguia recused herself.)

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were eight "Ayes," Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane.

PUBLIC ANNOUNCEMENTS

No items

MAYOR ALVEY ADJOURNED THE MEETING

AT 7:40 P.M.

Carol Godsil
 Deputy Unified Government Clerk

tk

August 30, 2018



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: September 13, 2018

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl/cg

Attachment

1. COMMUNICATION:

Pam Kahao, Interim Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
840855	7/6/2018	\$22.50	160	Lost/Stolen	Birch, Martin W	9/14/2018
		\$72.85	790			
836324	4/20/2018	\$22.84	160	Stale Dated	Woodson, M. Theresa	9/14/2018
826136	11/17/2017	\$139.66	162	Lost/Stolen	Estigoy, Rose M	9/14/2018

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED SEPTEMBER 11, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Johnnie L Brown	PW/Parking Control	9/6/18	School Crossing Guard
Mariah E Smith	Public Relations	9/6/18	Media Relations Specialist

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Robert C Anderson	PW/Engineering	9/6/18	Info Sys Analyst	Manager
MaDonna M Kampf	Finance/Treasury	9/6/18	Fiscal Supt Supervisor	Admin Coordinator
Kimberly P Portillo	Urban Planning	9/6/18	Eng Supt Supervisor	Planner Program Coordinator
Jamie M VanHouten	Comm Corr	9/6/18	ISO	

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Andrew P Bettinger	Parks/Rec	9/19/18	Oper Superintendent
Dylan T Burnett	Parks/Rec	8/15/18	Summer Laborer
Brittney N Carr	Police/Comm	8/23/18	Public Safety Dispatcher
Victoria S Meyer	Legal	9/19/18	Attorney
Mary H Neumer	Pw	9/19/18	Prof Assistant
Josh S Strumillo	Parks/Rec	8/10/18	Summer Laborer
Blayne Swartz	Parks/Rec	7/27/18	Summer Laborer
Anthony Valencia	Parks/Rec	7/27/18	Summer Laborer
Christina N Yang Her	Health/PHS	9/4/18	Admin Supt Assistant

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
------	---------------------	-----------	-----------

Telesha M Bennett	Finance/Treasury	9/8/18	Fiscal Supt Asst
Cori E Bond	Finance/Treasury	9/8/18	Fiscal Supt Asst
Kristal J Cox	Finance/Treasury	9/8/18	Lead Fiscal Supt Asst
Lindsay M Lemanske	Finance/Treasury	9/8/18	Fiscal Supt Asst
Brandy A Lynch	Reg of Deeds	10/22/18	Admin Supt Spec
Cory M Schmidt	Transit	9/8/18	Transit Operator

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
James E Bowers	Transit	ACD code change effective 10/4/18
Manuel A Deleon	Police	Amend PAC 8/30/18 to reflect change in rg/stp effective 9/6/18
Sherry L Johnson	Transit	ACD code change effective 10/4/18
Turina L Lopez	Transit	Amend PAC 9/6/18 to reflect no action taken on increase
James D Scaife	Transit	ACD code change effective 10/4/18
Rebecca A Wroblewski	Transit	ACD code change effective 10/4/18

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION, DATED SEPTEMBER 13, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Timothy G Fithian	Finance/Treasury	9/20/18	Fiscal Supt Asst
Stephanie R Lehmkuhl	Finance/Treasury	9/20/18	Fiscal Supt Asst
Michelle D Wooten	Finance/Treasury	9/20/18	Fiscal Supt Supervisor

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Michael S. Adriano	Fire	9/12/18	Master Fire Captain
Paul J Duckworth	Sheriff/Detention	9/4/18	Deputy Master Fire
David J Kuklenski	Fire	9/12/18	Captain
Matthew W Muder	Fire	9/12/18	Master Fire Captain
John P Peterson	Fire	9/13/18	Sr Deputy Fire Chief

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Sarah LA Bachmann	Sheriff/Juv	9/16/18	Juv Care Worker
Adrian D Goodlow	Sheriff/Juv	10/5/18	Juv Care Worker
Lisa A Osborne	Sheriff/Juv	9/30/18	Juv Care Worker

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Joshua Cromwell	Police	ACD code change effective 9/13/18

Action: Received and filed. Copy previously forwarded to Payroll.

4. CLAIM FOR DAMAGES:

DeLynda Burris–Handshaw, 5105 Miranda Drive, Hope Mills, NC, alleging damages to tire and rim due to hitting a metal plate on 18th Street.

Action: Received and filed. Copy previously forwarded to Legal.

5. NOTICE OF SUIT:

New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing vs. Cassandra L. McDaris; Unknown spouse, if any, of Cassandra L. McDaris; Unified Government of Wyandotte County/Kansas City, Kansas; Mortgage Electronic Registration Systems, Inc. as nominee for Homeservices Lending, LLC Series A, DBA Plaza Mortgage Services, Case No. 18CV652.

Action: Received and filed. Copy previously forwarded to Legal.

6. TRAVEL REQUESTS:

Joe Chizmar, Fire/EMS, travel to Colorado Springs, CO, September 13 – 16, 2018, to attend the IAFF Fallen Firefighters Memorial Service, no costs to the UG.

Bridgette Cobbins, Department of Administration/Clerk, travel to Leavenworth, KS, September 14, 2018, to attend the Northeast Kansas County Officials Annual Meeting, Employee Training/Travel.

Bridgette Cobbins, Department of Administration/Clerk, travel to Overland Park, KS, October 15 – 17, 2018, to attend the Kansas Association of Counties Conference (KAC), Employee Training/Travel.

Joseph Connor and Melissa Sieben, Administrator's Office, travel to Baltimore, MD, September 21 - 26, 2018, to attend the ICMA Annual Conference, Employee Training & Travel.

Mark Dailey, Mike Searcy, Jason Saragusa, and L. Chris Werner, Fire, travel to Salina, KS, October 16 – 19, 2018, to attend 2018 Kansas Rescue Conference, Employee Training & Travel.

Cameron Hopper, Fire/Operations, travel to Kearney, MO, September 19 – 20, 2018, to attend Tactical Emergency Casualty Care (TECC) training, Employee Training & Travel.

Rollin Sachs, Air Quality, travel to Oklahoma, OK, October 2 – 4, 2018, to attend the CenSARA Fall Business Meeting 2018, Federal Air Pollution Program.

Hattie Smith, Department of Administration/Clerk, travel to Topeka, KS, September 12, 2018, to attend the Property Valuation Division Training Class, Employee Training/Travel.

Action: Approved by the Administrator's Office and received and filed.

7. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Robert Breitenstein/Janet Roberts DBA Breit's Stein & Deli, 412 N. 5th St.
Johnnie's West, LLC/Jeffrey Nick DBA Johnnie's West, 8016 Leavenworth Rd.
Red Eye, Inc./Kimberly Pond DBA Red Eye, 6102 State Ave.

Action: Referred to License.

8. APPLICATION FOR CATERER:

Jane Monroe/William Hutton DBA Embrace the Grape, 195 SW Blvd.

Action: Referred to License.

9. APPLICATION FOR LIQUOR TEMPORARY LICENSE:

St. Martin Lutheran Church/Barbara Lehman for St. Martin Lutheran Church German Fest, 13700 Polfer Road, October 6, 2018, 4:00 – 9:00 pm.

Action: Referred to License.

10. APPLICATION FOR PRIVATE CLUB CLASS B:

Bar None Lounge, LLC/Gregory Thompson DBA Bar None Lounge, 1200 Osage Ave.

Action: Referred to License.

11. APPLICATION FOR MASSAGE THERAPY BUSINESS LICENSE-IN OFFICE:

Kelsey Bennett DBA Chateau Avalon, 701 Village West Pkwy.

Action: Referred to License.

12. APPLICATION FOR PRIVATE SECURITY BUSINESS:

Universal Protection Service, LLC/Curtis Haney DBA Allied Universal Security Services, 161 Washington St., Ste. 600, Conshohocken, PA.

Action: Referred to License.



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

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Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: September 20, 2018

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

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mbb

Attachment

1. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	<u>Reissue Date</u>
819013	7/28/2017	\$ 4,000.00	110	Lost/Stolen	Soptic, Patrick	9/21/2018
842436	8/3/2018	\$ 5,000.00	110	Lost/Stolen	Soptic, Patrick	9/21/2018
842358	8/3/2018	\$ 1,000.00	110	Lost/Stolen	Gaines, Ronnie	9/21/2018
842352	8/3/2018	\$ 2,000.00	110	Lost/Stolen	Eickhoff, Jennifer	9/21/2018
841838	7/27/2018	\$ 2,192.31	790	Deceased	Romero, Jessie	9/21/2018

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION DATED SEPTEMBER 18, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Carl L Campbell	Parking Control	9/20/18	School Crossing Guard

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Bruce B Brooks	PW/Street	9/20/18	Equipment Operator I	Dispatcher II
Violeta Magee	Police	9/13/18	Detective	Captain
Christopher G Morales	Police	9/13/18	Sr Patrolman	Sergeant
Lionel A Womack	Police	9/13/18	Master Patrolman II	Detective

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Martin L Cook	Fire	9/12/18	Sr Asst Fire Chief
Pam D. Fellows	NRC	8/29/18	Admin Supt Spec
Louis V Goins	Police	9/7/18	Patrolman III
Linda S Green	Police	9/19/18	Office Asst III
Bryanna K. Hanschu	DA'sOffice	9/18/18	ADA II
Lisa A Jenicke	Health	9/19/18	Prof Asst
Mary R. Peters	Police	9/15/18	Sr. Master Patrolman
Luke E Rodriguez	Health	9/14/18	Environmental Scientist
William L Storms II	Police	9/13/18	Police Sergeant
Brianna N Talavera	DA'sOffice	9/27/18	Admin Supt Spec
Brian J Whisner	Police	9/14/18	Sr Master Patrolman
Janice L Williams	Aging	9/1/18	Fiscal Supt Spec

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Felicia L Atkins	Sheriff/Detention	10/3/18	Sergeant
Jacob W Bradley	Sheriff/Detention	10/13/18	Deputy
Naomi N Green	Sheriff/Detention	10/13/18	Deputy
Thomas A Macis	Sheriff/Detention	10/13/18	Deputy
Ronald D McKay	Sheriff/Detention	10/13/18	Deputy
Morgan M Meyers	Sheriff/Detention	10/13/18	Deputy
Elijah L Ming	Sheriff/Detention	10/13/18	Deputy
Cialan C Rhodes-Hood	Sheriff/Detention	10/13/18	Deputy
Tim M Spoerl	Sheriff/Detention	10/13/18	Deputy
Tyler L Walton	Sheriff/Detention	10/13/18	Deputy
Timothy R Willis	Sheriff/Detention	10/13/18	Deputy

Section VIII – Other Requests

Name	Department/Division	Action Requested and Explanation
Brandy A Lynch	Reg of Deeds	Amend PAC 9/11/18 to reflect change of increase effective 9/22/18
Ethan D Zipf-Sigler	DA's Office	OC Code change of increase effective 9/20/18

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION DATED SEPTEMBER 20, 2018:

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Adam E Sokoloff	DA's Office	9/6/18	ADA I	ADA II
John S Sutherland	DA's Office	9/6/18	ADA I	ADA II

Section III – Separation

Name	Department/Division	Eff. Date	Job Title
Joshua M Marmon	Police	9/12/18	Sr. Patrolman

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Ashli Johnson	Comm Corr	10/1/18	9/30/19	unpaid

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Deana M Logan	NRC/Code	9/20/18	Inspector I
Megan A Zeisler	NRC/Code	9/20/18	Inspector I

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
James Bauer	Police	ACD code change effective 9/13/18
Eric Jones	Police	ACD code change effective 9/13/18
Shawn Magee	Police	ACD code change effective 9/13/18
Christopher Morales	Police	ACD code change effective 9/13/18
Osvaldo Navarro	Police	ACD code change effective 9/13/18
Stephen Owen	Police	ACD code change effective 9/13/18
George Sims	Police	ACD code change effective 9/13/18

Action: Received and filed. Copy previously forwarded to Payroll.

4. CLAIM FOR DAMAGES:

Patrick Turner, 8007 E. 119th Ter., Grandview, MO, alleging bodily injury from an accident with the Ride KC public transit.

Action: Received and filed. Copy previously forwarded to Legal.

5. SUMMONS:

Unified Government of Wyandotte County, Kansas City, KS vs. Manuel Abarca, et al, Case No. 2018PT 000003. (4)

Action: Received and filed. Copies previously forwarded to Legal.

6. TRAVEL REQUESTS:

Troy Bennett, Chris Bussell, Chad Casper, William Carver, Matthew Cross, Jeffrey Gardner, Mohamed Islaweyn, Christopher James, Brian Lynn, Robert Peck, Phil Schwery and John Whaley, Police Dept., travel to Springfield, MO, September 13, 2018, to attend the Green County, MO Funeral Escort for Fallen Officer.

Sallie Calhoon and Alan Korosec, Fire Dept., travel to St. Joseph, MO, September 26 - 28, 2018, to attend the Advanced EMD Certification Course, Fire Communications.

Alan Korosec, Fire Dept., travel to Blue Springs, MO, October 1 – 5, 2018, to attend the Advanced Attack Integrated Response Course, no cost to UG.

Violeta Magee and Brittanie Pruitt, KCKPD, travel to Hutchinson, KS, January 14 – November 15, 2019, to attend the LELA Command School, Training & Travel.

Action: Approved by the Administrator's Office and received and filed.

7. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Jose Hernandez DBA Jalisco Inc., 5000 State Ave.
Sonia Davis/Jessy M. Haworth DBA Hoops, LLC, 7912 State Ave.

Action: Referred to License.

8. APPLICATION FOR CATERER/DRINKING ESTABLISHMENT/HOTEL:

Clifford E. Dale DBA Mason Jar, LLC, 5831 State Ave.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 18434

Full Commission Meeting Date: 9/27/18

Committee: Economic Development & Finance

Date of Standing Committee Action: 9/10/18

(If none, please explain):

Publication Required: Yes 10/04/2018

<u>Date:</u> 09/20/2018	<u>Contact Name:</u> Patrick Waters	<u>Contact Phone:</u> x5079	<u>Contact Email:</u> Patrick	<u>Department/Division:</u> Economic Development
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Item Description:

An ordinance removing the late fees and interest associated with a demolition lien on 3840 Lloyd St. in the amount of \$4,711.55.

Action Requested:

The ED&F Committee recommended approval.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Ordinance

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to the removal of late fees and interest on a special assessment levied by Ordinance No. O-33-02.

WHEREAS, on January 14, 2002 the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) demolished and removed a structure at a property with an address of 3840 Lloyd St., Kansas City, Kansas (the “Property”); and

WHEREAS, K.S.A. 17-4759 creates a lien against real property upon which a structure has been found to be unfit for human use or habitation, for the costs of such demolition and removal of the structure; and

WHEREAS, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas passed Ordinance No. O-33-02 on April 18, 2002, levying among others, special assessments to pay for the costs of demolition and removal of the structure on the Property; and

WHEREAS, a lien for the costs of demolition and removal of the structure on the Property was filed by the Unified Government with the District Court and a special assessment was levied in the amount of \$3,942.00; and

WHEREAS, in addition to the original lien amount, as of September 27, 2018, \$4,711.55 in late fees and interests have accrued against the Property; and

WHEREAS, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas, believes that waiver of the late fees and interest will serve the public purpose and benefit the Unified Government as a whole.

**BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. That the late fees and interest related to the demolition lien in the amount of \$4,711.55 on the following Property be waived and released

Rosedale Park, B 4, L 19 & L 20, Tax. Ref. No. 1 5C 1842. Parcel No. 132627.
Commonly referred to as 3840 Lloyd St., Kansas City, Kansas.

Section 2. That the County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. That the portion of Ordinance No. O-33-02, passed April 18, 2002, levying the original demolition lien on and otherwise relating to the above-described Property shall remain in place until paid in full.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the in the official Unified Government newspaper.

**PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,**

THIS 27th DAY OF SEPTEMBER, 2018.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 18393

Full Commission Meeting Date: 9/27/18

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 9/10/18

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
09/20/2018	Chris Slaughter	x8977	Chris	Land Bank

Item Description:

The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee review the proposed packets and forward them to the Land Bank Board of Trustees for final consideration.

Item (1) - Applications (6)

Item (2) - Transfers to Land Bank (1)

Item (3) - Tax Sale Transfers (127)

Item (4) - Changes to Land Bank Policy

Action Requested:

The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee approve the above requests and forward them to the Land Bank Board of Trustees for final approval.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Land Bank Applications, Transfer to Land Bank, Memo to WCLB BOT, WCLB Policy - updates

WYANDOTTE COUNTY LAND BANK - APPLICATIONS

APPLICANT	APPLICANT ADDRESS	LAND BANK ADDRESS	PROPOSED USE	STANDING COMMITTEE RECOMMENDATION
Guadalupe Holguin	1215 Haskell Ave	1219 Haskell Ave	Yard Extension	APPROVED
Sanjuanita Ortiz	285 S Mill St	297 S Mill St	Yard Extension	APPROVED
Rafael Hernandez	323 S Boeke	327 S Boeke St	Yard Extension	APPROVED
Juan Campillo	1931 N 27th St	1935 N 27th St	Yard Extension	APPROVED
Oscar Mera	1402 N. 48th St	1338 N. 48th St	Yard Extension	APPROVED
Rosario Martinez	129 S 14th St	135 S. 14th St	Property Acquisition	APPROVED
LAND BANK ADVISORY BOARD RECOMMENDATION	The Land Bank Advisory Board recommends forwarding the application(s), to the Land Bank Board of Trustees, for final approval.			

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INTENTIONALLY**

RECEIVED

MAY 02 2018

LAND BANK
WYCO/KCK

Application to Purchase a Vacant Land Bank Property as Yard Extension

Use this application if the following is correct:

- You are the Owner of Record of an adjacent occupied structure that shares a property line with an undeveloped Land Bank lot and wish to acquire the lot to expand your property. # ~~100~~ 48

Separate applications are available to purchase property for new construction or the rehab of an existing residential or commercial structure. WCLB property that is determined to be developable may not qualify for the Yard Extension program.

Program Requirements and Policies:

- All properties for sale are listed on the WCLB website. Not all land bank properties are available for sale— if a property is on the "Hold" listing, it may not currently be for sale.
- An application is required for all purchases of property. Applications are not considered until all required information is provided. If an application is incomplete, it may be rejected or other completed applications will be given priority.
- Applications will automatically be rejected if the applicant is currently tax delinquent or has any outstanding code violations on any property owned in Wyandotte County.
- WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In cases of multiple applications, the WCLB will give precedence to applications from adjacent, occupied homeowners.
- Splitting a Land Bank lot for two adjacent owners – In a case where two property owners of record apply for a lot, the WCLB may split the parcel between the two owners.
- All transfers include deed restrictions and/or a reversionary clause allowing the WCLB to regain ownership and possession of the property if the buyer fails to meet the restrictions placed on the property.
- The Wyandotte County Land Bank Board of Trustees (LBBOT) must approve all application(s) in order for the WCLB to transfer property.
- Closings are held at the WCLB offices. The WCLB will only accept cashier's checks or money orders made payable to the **Wyandotte County Land Bank**.
- All property is sold "as-is". The buyer agrees to accept the property in its "as is" condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys' fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.

Guadalupe Holguin Date 05/02/18
Sign here

Guadalupe Holguin
Print Name

Application to Purchase a Vacant Land Bank Property as Yard Extension

Land Bank Property You Wish to Purchase: 1219 Haskell Ave.

Parcel ID Number: 157264.

Applicant Information (Please Print)

Name: Guadalupe Holguin

Company/Organization: _____

Mailing Address: 1215 Haskell Ave

Phone Number(s): _____

E-mail(s): _____

Address of the adjacent structure you own: 1215 Haskell Ave

Do you live in the adjacent structure above? Yes ☒ No ☐

Please Respond to the Following Questions:

1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes _____ No ☒
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes _____ No ☒

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge, and will remain confidential.

Guadalupe Holguin Date 05/02/18
Sign here

Guadalupe Holguin.
Print Name

Application to Purchase a Vacant Land Bank Property as Yard Extension

RECEIVED

JUL 31 2018

LAND BANK

WYCO/KCK

Use this application if the following is correct:

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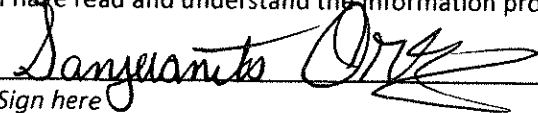
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- All property is sold "as-is". The buyer agrees to accept the property in its "as is" condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys' fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.


Sign here

Date 07-24-18

Sanjuanita Ortiz
Print Name

Application to Purchase a Vacant Land Bank Property as Yard Extension

Land Bank Property You Wish to Purchase: small lot 297 S. mill St
Parcel ID Number: 122053 Kansas city, KS
66101

Applicant Information (Please Print)

Name: Sanjuanita Ortiz

Company/Organization: N/A

Mailing Address: 285 S. mill St

Phone Number(s): _____

E-mail(s): _____

Address of the adjacent structure you own: ~~285~~ ~~285 S. mill St~~ 285 S. mill St
Kansas city, KS
66101

Do you live in the adjacent structure above? Yes X No _____

Please Respond to the Following Questions:

1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes _____ No X
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes _____ No X

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

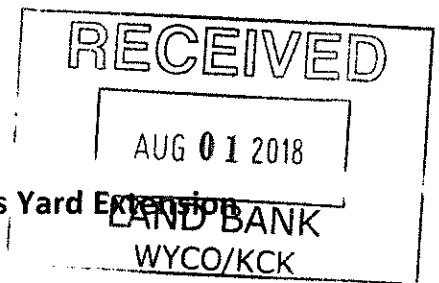
Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge, and will remain confidential.

Sanjuanita Ortiz
Sign here

Date 07-24-18

Sanjuanita Ortiz
Print Name



Application to Purchase a Vacant Land Bank Property as Yard Extension

Use this application if the following is correct:

- You are the Owner of Record of an adjacent occupied structure that shares a property line with an undeveloped Land Bank lot and wish to acquire the lot to expand your property.

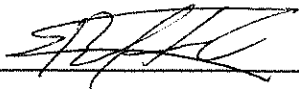
Separate applications are available to purchase property for new construction or the rehab of an existing residential or commercial structure. WCLB property that is determined to be developable may not qualify for the Yard Extension program.

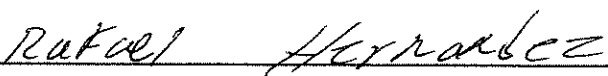
Program Requirements and Policies:

- All properties for sale are listed on the WCLB website. Not all land bank properties are available for sale— if a property is on the "Hold" listing, it may not currently be for sale.
- An application is required for all purchases of property. Applications are not considered until all required information is provided. If an application is incomplete, it may be rejected or other completed applications will be given priority.
- Applications will automatically be rejected if the applicant is currently tax delinquent or has any outstanding code violations on any property owned in Wyandotte County.
- WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In cases of multiple applications, the WCLB will give precedence to applications from adjacent, occupied homeowners.
- Splitting a Land Bank lot for two adjacent owners – In a case where two property owners of record apply for a lot, the WCLB may split the parcel between the two owners.
- All transfers include deed restrictions and/or a reversionary clause allowing the WCLB to regain ownership and possession of the property if the buyer fails to meet the restrictions placed on the property.
- The Wyandotte County Land Bank Board of Trustees (LBBOT) must approve all application(s) in order for the WCLB to transfer property.
- Closings are held at the WCLB offices. The WCLB will only accept cashier's checks or money orders made payable to the **Wyandotte County Land Bank**.
- All property is sold "as-is". The buyer agrees to accept the property in its "as is" condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys' fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.

 _____ Date _____
Sign here

 _____
Print Name

Application to Purchase a Vacant Land Bank Property as Yard Extension

Land Bank Property You Wish to Purchase: BD OF COUNTY COMMISSIONERS

Parcel ID Number: 071247

Applicant Information (Please Print)

Name: Rafael Hernandez

Company/Organization: _____

Mailing Address: 908 RIVERVIEW AVE KANSAS CITY KS 64111

Phone Number(s): _____

E-mail(s): _____

Address of the adjacent structure you own: _____

Do you live in the adjacent structure above? Yes ___ No ___

Please Respond to the Following Questions:

1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes _____ No no
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes _____ No no

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge, and will remain confidential.

Sign here

Date 8/1/2015

Print Name

Rafael Hernandez

RECEIVED

AUG 07 2018

Application to Purchase a Vacant Land Bank Property as Yard Extension

WYCO/KCK

Use this application if the following is correct:

- You are the Owner of Record of an adjacent occupied structure that shares a property line with an undeveloped Land Bank lot and wish to acquire the lot to expand your property.

Separate applications are available to purchase property for new construction or the rehab of an existing residential or commercial structure. WCLB property that is determined to be developable may not qualify for the Yard Extension program.

Program Requirements and Policies:

- All properties for sale are listed on the WCLB website. Not all land bank properties are available for sale— if a property is on the "Hold" listing, it may not currently be for sale.
- An application is required for all purchases of property. Applications are not considered until all required information is provided. If an application is incomplete, it may be rejected or other completed applications will be given priority.
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- WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In cases of multiple applications, the WCLB will give precedence to applications from adjacent, occupied homeowners.
- Splitting a Land Bank lot for two adjacent owners – In a case where two property owners of record apply for a lot, the WCLB may split the parcel between the two owners.
- All transfers include deed restrictions and/or a reversionary clause allowing the WCLB to regain ownership and possession of the property if the buyer fails to meet the restrictions placed on the property.
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- Closings are held at the WCLB offices. The WCLB will only accept cashier's checks or money orders made payable to the **Wyandotte County Land Bank**.
- All property is sold "as-is". The buyer agrees to accept the property in its "as is" condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys' fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.

JUAN Campi/10

Date 07-07-18

Sign here

JUAN Campi/10

Print Name

Application to Purchase a Vacant Land Bank Property as Yard Extension

Land Bank Property You Wish to Purchase: 1935 N 27 ST KANSAS CITY 66104

Parcel ID Number: _____

Applicant Information (Please Print)

Name: JUAN CAMPILO

Company/Organization: _____

Mailing Address: 1931 N 27 ST KANSAS CITY 66104

Phone Number(s): - - 5

E-mail(s): _____

Address of the adjacent structure you own: _____

Do you live in the adjacent structure above? Yes ___ No ___

Please Respond to the Following Questions:

1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes _____ No X
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes _____ No X

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge, and will remain confidential.

JUAN CAMPILO Date 07 07 18
Sign here

JUAN CAMPILO
Print Name

RECEIVED

AUG 14 2018

LAND BANK

WYCO/KCK

Application to Purchase a Vacant Land Bank Property as Yard Extension

Use this application if the following is correct:

- You are the Owner of Record of an adjacent occupied structure that shares a property line with an undeveloped Land Bank lot and wish to acquire the lot to expand your property.

Separate applications are available to purchase property for new construction or the rehab of an existing residential or commercial structure. WCLB property that is determined to be developable may not qualify for the Yard Extension program.

Program Requirements and Policies:

- All properties for sale are listed on the WCLB website. Not all land bank properties are available for sale— if a property is on the “Hold” listing, it may not currently be for sale.
- An application is required for all purchases of property. Applications are not considered until all required information is provided. If an application is incomplete, it may be rejected or other completed applications will be given priority.
- Applications will automatically be rejected if the applicant is currently tax delinquent or has any outstanding code violations on any property owned in Wyandotte County.
- WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In cases of multiple applications, the WCLB will give precedence to applications from adjacent, occupied homeowners.
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- The Wyandotte County Land Bank Board of Trustees (LBBOT) must approve all application(s) in order for the WCLB to transfer property.
- Closings are held at the WCLB offices. The WCLB will only accept cashier’s checks or money orders made payable to the **Wyandotte County Land Bank**.
- All property is sold “as-is”. The buyer agrees to accept the property in its “as is” condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys’ fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.

Sign here

Date 08/14/2018

Print Name

Oscar MENDOZA MERA

Application to Purchase a Vacant Land Bank Property as Yard Extension

Land Bank Property You Wish to Purchase: 1338 N. 48th Street

Parcel ID Number: 047500

Applicant Information (Please Print)

Name: Oscar MENDOZA MERA

Company/Organization: _____

Mailing Address: 1402 N 48th St Kansas City, KS 66102

Phone Number(s): _____

E-mail(s): _____

Address of the adjacent structure you own: 1338 N 48th Street

Do you live in the adjacent structure above? Yes ☒ No ☐

Please Respond to the Following Questions:

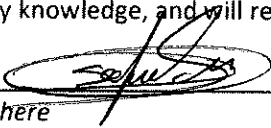
1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes _____ No ☒
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes _____ No ☒

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge, and will remain confidential.

Sign here

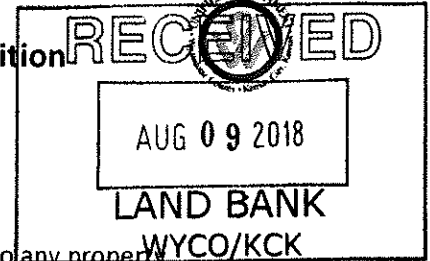


Date 08/14/2010

Oscar MENDOZA MERA
Print Name



Application for Land Bank Property Acquisition



Use this application if:

You are purchasing an undeveloped Land Bank property that is not adjacent to any property that you own.

Separate applications are available to purchase property for yard extension, new construction or the rehab of an existing residential or commercial structure. WCLB property that is determined to be developable may not qualify for this program.

Program Requirements and Policies:

- All properties for sale are listed on the WCLB website. Not all land bank properties are available for sale— if a property is on the "Hold" listing, it may not currently be for sale.
- An application is required for all purchases of property. Applications are not considered until all required information is provided. If an application is incomplete, it may be rejected, or other completed applications will be given priority.
- Applications will automatically be rejected if the applicant is currently tax delinquent or has any outstanding code violations on any property owned in Wyandotte County.
- WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In cases of multiple applications, the WCLB will give precedence to applications from adjacent, occupied homeowners
- All transfers include deed restrictions and/or a reversionary clause allowing the WCLB to regain ownership and possession of the property if the buyer fails to meet the following restrictions placed on the property.
 - Property owner must not obtain any code violations
 - Property owner must pay property taxes within the allotted time frame
 - Property owner must not sell the property for a period of 36 months
- The Wyandotte County Land Bank Board of Trustees (LBBOT) must approve all application(s) in order for the WCLB to transfer property.
- Closings are held at the WCLB offices. The WCLB will only accept cashier's checks or money orders made payable to the **Wyandotte County Land Bank**.
- All property is sold "as-is". The buyer agrees to accept the property in its "as is" condition, without any warranties or representations by the WCLB. The buyer agrees to hold harmless and release the WCLB and the Unified Government of Wyandotte/KCK (UG) for all conditions known or unknown to the property.
- The WCLB will discuss the asking price for each property upon the receipt of a completed application.
- The buyer agrees to indemnify, protect, hold harmless, defend, and release the WCLB and UG from any claims, losses, damages, costs, or expenses including, without limitation, all reasonable attorneys' fees asserted against, incurred, or suffered by the WCLB resulting from any contract breaches, personal injuries, or property damages occurring in, on, about, or related to the property resulting from any causes, except resulting from the acts or omissions of the WCLB or the WCLB agents, employees, or contractors. Nothing in this article restricts the WCLB rights and remedies available at law or in equity.

Signature (Required)

I have read and understand the information provided above and contained in this application.


Sign here

Date 08.9.18

Please return to:
Wyandotte County Land Bank
701 N 7th St, Suite 421
Kansas City, KS 66101



Application for Land Bank Property Acquisition



Print Name ROSARIO MARTINEZ B

Land Bank Property You Wish to Purchase: 135 S. 14th St.

Parcel ID Number: 212811

Intended Usage of Property: to make my yard Bigger
and put a fence

Applicant Information (Please Print)

Name: ROSARIO MARTINEZ BERNAL

Company/Organization: _____

Mailing Address: 129 S. 14 Pacific St

Phone Number(s): _____

E-mail(s): _____

Please Respond to the Following Questions:

1. Are you currently delinquent on property taxes for any property owned in Wyandotte County?
Please explain a "yes" answer on a separate attachment.
Yes NO
2. Do you currently have a notice from the Code Enforcement Department indicating that you are in violation of City Code? Please explain a "yes" answer on a separate attachment.
Yes NO

Note: As a part of the review of this application, WCLB staff will review records from other UG Offices, such as Code Enforcement, Treasury and other available records. Failure to honestly answer these questions may result in the rejection of the application.

Signature (Required)

I hereby authorize the Wyandotte County Land Bank to obtain information necessary to verify the information supplied in this application. All the information that I have provided is accurate to the best of my knowledge and will remain confidential.

 Date 8.9-18

Sign here

ROSARIO MARTINEZ BERNAL
Print Name

Please return to:
Wyandotte County Land Bank
701 N 7th St, Suite 421
Kansas City, KS 66101

TRANSFERS TO LAND BANK

Owner	Property Address	Parcel	Comments	Standing Committee Recommendation
City of Kansas City, KS	344 Cambridge St	220109	The owner of 340 Cambridge St would like to purchase property to build a driveway.	APPROVED





Wyandotte County Land Bank

Economic Development Department

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5730
Fax: (913) 573-5745
Email: cslaughter@wycokck.org

MEMORANDUM

TO: Wyandotte County Land Bank Board of Trustees

FROM: Chris Slaughter, Land Bank Manager

DATE: September 10, 2018

SUBJECT: Non-Sale/Non-Redeemed Property – Tax Sale 341

Per Policy change, approved on **August 17, 2017** by Board of Trustees, all incoming property will be presented at Standing Committee for approval and forwarded to Land Bank Board of Trustees for final approval.

Attached are the properties that did receive a bid and were deemed no-sales or were not redeemed by a winning bidder, to the County, by the deadline established at the end **of Tax Sale 341 (August 16, 2018)**.

Each property has the following listed:

- Parcel number
- Site address
- Property indicator
 - V – vacant
 - I – improvement

COA	Parcel	Approximate Address	Zip	Code
20	120600	753 Simpson Ave	66101	I
51	158270	2541 Hiawatha St	66104	V
53	154023	927 Greeley Ave	66101	V
72	143267	1612 S bethany St	66103	V
91	047707	1221 N 50th Ter	66102	V
92	157502	1206 Rowland Ave	66104	V
100	158284	2544 Hiawatha St	66104	V
104	158289	2526 & 2526 H Hiawatha St	66104	V
105	158292	2510 Hiawatha St	66104	V
119	158598	2969 Hutchings St	66104	V
128	080512	706 & 708 N 10th St	66102	I
135	158602	2951 Hutchings St	66104	V
136	158612	2954 Hiawatha St	66104	V
138	158615	2966 Hiawatha St	66104	V
142	158700	1721 Quindaro Blvd	66104	V
143	158701	1720 Yecker Ave	66104	V
144	158735	2811 Hiawatha St	66104	V
146	158763	2818 Hiawatha St	66104	V
148	159024	2512 N 21st St	66104	V
149	159608	2126 Lafayette Ave	66104	V
154	058054	31 S 21st St	66102	V
178	093325	928 Riverview Ave	66101	V
179	056970	355 N 31st St	66102	V
184	059183	62 S 23rd St	66102	V
185	065602	14 S 34th St	66102	V
186	066600	129 S 16th St	66102	V
187	066601	131 S 16th St	66102	V
188	093326	932 Riverview Ave	66101	V
191	158420	1736 Cleveland Ave	66104	V
192	094567	206 Stewart Ave	66101	V
200	098057	1837 N 12th St	66104	V
211	066310	112 S 17th St	66102	V
225	103737	23 S 18th St	66102	V
241	067068	1257 Bunker Ave	66102	V
271	095298	741 Parallel Ave	66101	V
275	118134	517 Elizabeth Ave	66101	V
277	118453	624 Orville Ave	66101	V

281	143041	1628 S Bethany St	66103	V
282	143042	1630 S Bethany St	66103	V
283	143043	1632 S Bethany St	66103	V
285	149911	2806 Merriam Ln	66106	V
286	159613	2103 N 22nd St	66104	V
287	159822	2116 N 22nd St	66104	V
288	159823	2112 N 22nd St	66104	V
294	161701	2725 Glenrose Ln	66106	V
300	163438	2916 N 26th St	66104	V
301	072290	704 S Valley St	66105	V
302	116426	1713 Troup Ave	66104	V
303	165107	3227 Farrow Ave	66104	V
309	169042	3424 Barber Ave	66106	V
310	169043	3426 Barber Ave	66106	V
311	170224	1719 S 35th St	66106	V
314	172208	3301 N 44th Ter	66104	V
315	172209	3245 N 44th Ter	66104	V
316	172210	3241 N 44th Ter	66104	V
317	172212	3233 N 44th Ter	66104	V
321	194012	2750 Glenrose Ln	66106	V
324	172214	3225 N 44th Ter	66104	V
339	912204	3410 Barber Ave	66106	V
340	912207	3422 Barber Ave	66106	V
342	914007	3334 N 44th Ter	66104	V
343	914008	3319 N 44th Ter	66104	V
345	916933	3161 N 48th St	66104	V
346	917814	2110 N 51st St	66104	V
363	072545	1137 Pennsylvania Ave	66105	V
364	072546	1139 Pennsylvania Ave	66105	V
365	072547	821 S 12th St	66105	V
366	111556	735 Stewart Ave	66101	V
367	114591	2818 N 12th St	66104	V
368	158504	1810 Brown Ave	66104	V
374	115603	2935 Hiawatha St	66104	V
375	158614	2960 Hiawatha St	66104	V
376	080364	951 Everett Ave	66101	V
390	063649	1128 N 32nd St	66102	V
409	102522	335 N Valley St	66102	V
420	116423	1721 Troup Ave	66104	V

477	109899	1960 H N 4th St	66101	V
514	081471	750 Sandusky Ave	66101	V
573	158266	2521 Hiawatha St	66104	V
574	158267	2523 Hiawatha St	66104	V
592	163810	3438 N 32nd Ter	66104	V
595	914013	3132 N 44th St	66104	V
607	159623	2057 N 22nd St	66104	V
608	159624	2055 N 22nd St	66104	V
610	081161	908 Freeman Ave	66101	V
611	158543	3020 Hutchings St	66104	V
612	158764	1811 Yecker Ave	66104	V
615	060104	331 N 36th St	66102	V
622	068127	1315 Osage Ave	66105	V
634	163808	3422 N 32nd Ter	66104	V
641	065600	4 S 34th St	66102	V
642	065601	10 S 34th St	66102	V
643	120989	654 Simpson Ave	66101	V
644	121159	19 S 8th St	66101	V
645	143994	2401 Bunker Ave	66102	V
651	093610	1014 Tenny Ave	66102	V
655	168343	1931 Shearer Rd	66106	V
663	105654	4100 Georgia Ave	66104	V
664	163127	2645 N 21st St	66104	V
677	090320	511 N 10th St	66102	V
678	094315	352 Haskell Ave	66101	V
679	116518	2714 Spring Ave	66104	V
680	910506	3050 N 27th St	66104	V
684	052602	5209 Custer Ave	66106	V
691	004421	6116 State Ave	66102	V
694	080519	618 N 11th St	66101	V
696	104403	3412 Yecker Ave	66104	V
697	105437	3004 N 42nd St	66104	V
698	105438	3000 N 42nd St	66104	V
233	107204	3149 N 48th St	66104	V
234	107206	3143 N 48th St	66104	I
247	111104	336 Richmond Ave	66101	I
254	111598	805 Lafayette Ave	66101	I
261	099660	3124 Mellier Ave	66104	V
332	143228	1707 Ruby Ave	66103	I

348	921304	2726 R N 59th St	66104	V
452	002106	2916 N 65th Ter	66104	I
466	070113	1131 Pacific Ave	66102	V
467	070114	209 S 12th St	66102	V
503	140678	619 Troup Ave	66101	I
515	107952	2316 N 34th St	66104	I
618	095044	710 Troup Ave	66101	V
646	106903	2934 Hutchings St	66104	V
647	158549	3002 Hutchings St	66104	V
648	158591	2938 Hutchings St	66104	V
668	047453	5129 Freeman Ave	66102	I
669	047454	5123 Freeman Ave	66102	I
127				

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INTENTIONALLY**

**WYANDOTTE COUNTY LAND BANK
(WCLB)**

**ADMINISTRATIVE POLICY
AND
PROCEDURE GUIDELINES**

**APPROVED 03/26/15
UPDATED 04/27/18**

Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on March 26, 2015

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank and supersede all such prior policies and procedures.

Section 1. Authority and Role

- 1.1 Establishment.** The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.
- 1.2 Governance.** The WCLB is governed by a Board of Trustees (BOT) comprised of the Mayor/Chief Executive and the UG Commissioners. The WCLB manager is charged with its administration.
- 1.3 Land Bank Advisory Board.** A Land Bank Advisory Board (LBAB) shall be available to advise the BOT and WCLB manager on matters relating to the business and affairs of the WCLB, and to suggest or be available for consultation with regard to projects, proposals and/or activities which the WCLB may undertake. The membership of the LBAB shall consist of eight representatives designated by the Executive Board of the Liveable Neighborhoods Task Force and, subject to the modification and approval of the County Administrator, representatives from the following UG Departments: Administration, Community Development, Delinquent Real Estate, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Treasury, and Urban Planning and Land Use. The LBAB shall serve solely in an advisory capacity.
- 1.4 Governing Authority.** The core governing documents of the WCLB are the applicable state statutes and the UG Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.
- 1.5 Purpose.** The purpose of the WCLB is to return tax delinquent and distressed property to productive use that benefits the community.

Section 2. Priorities for Property Use

- 2.1 Government Use.** The first priority for use of real property of the WCLB is to make available its properties to local governments for public use and ownership.
- 2.2 Housing.** The first priority for use of real property of the WCLB for nongovernmental purposes is the production or rehabilitation of property for housing.
- 2.3 Other Purposes.** When there is no governmental purpose or use for a property, nor a feasible use for housing, the WCLB may consider permitting the property to be used for other community improvement purposes. These uses should be consistent with the following priorities:
- a. Neighborhood revitalization;
 - b. The return of property to productive tax-paying status;
 - c. Land assemblage for economic development;
 - d. Long-term “banking” of properties for future strategic uses; and/or
 - e. The provision of financial resources for operating functions of the WCLB.
- 2.4 Neighborhood Consultation.** The WCLB encourages every applicant seeking to acquire property from the WCLB to demonstrate prior consultation with neighborhood associations and non-profit entities operating in the geographical area of the property.
- 2.5 City-Wide Master Plan.** The WCLB shall encourage the development and use of properties in a manner consistent with the UG City-Wide Master Plans and other government-approved plans.

Section 3. Priorities for Identity of Transferees.

- 3.1 Priority Transferees.** Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:
- a. Government entities;
 - b. Non-profits that will hold title to the property on a long-term basis or hold title to the property for the purposes of subsequent reconveyance to private third parties for housing or other public purposes;
 - c. Other individuals and entities seeking to obtain the property for housing;
 - d. Non-profit institutions such as academic and religious institutions;

- e. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity; and
- f. Individuals who own and occupy residential property for purposes of a yard extension disposition program.

3.2 Transferee Qualifications. All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, may be required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant; and/or
- d. Adequate plans for development.

3.3 Reserved Discretion. The WCLB reserves full and complete discretion to decline applications and proposed transaction agreements from individuals and entities that meet, among others, any of the following criteria:

- a. Failure to perform in prior transactions with the WCLB;
- b. Ownership of properties that became delinquent in ad valorem tax payments and remain delinquent in ad valorem tax payments during their ownership;
- c. Parties that are barred from transactions with local government entities;
- d. Inability to demonstrate sufficient experience and/or capacity to perform in accordance with the requirements of the WCLB;
- e. Ownership of properties that have a history of violations of state and/or local laws, codes or ordinances; and/or
- f. Properties that have been used by the transferee or a family member of the transferee as his or her personal residence at any time during the twelve (12) months immediately preceding the submission of application (except in rental cases).

Section 4. Priorities Concerning Neighborhood and Community Development.

4.1 Neighborhood and Community Development. The WCLB reserves the right to consider the impact of a property transfer on short and long-term neighborhood and community development plans. In doing so, the WCLB may prioritize the following in any order it deems appropriate:

- a. The preservation of existing stable and viable neighborhoods;
- b. Neighborhoods in which a proposed disposition will assist in halting a slowly occurring decline or deterioration;

- c. Neighborhoods that have recently experienced or are continuing to experience a rapid decline or deterioration;
- d. Geographic areas that are predominately non-viable for purposes of residential or commercial development; and/or
- e. Potential impact on areas targeted by a strategic development plan.

Section 5. Conveyances to the WCLB

- 5.1 Sources of Property Inventory.** Sources of real property inventory of the WCLB include, but are not limited to, the following:
- a. Transfers from local governments;
 - b. Acquisitions at tax foreclosure sales;
 - c. Donations from private entities;
 - d. Market purchases;
 - e. Conduit transfers contemplating the simultaneous acquisition and disposition of property;
 - f. Other transactions such as land banking agreements.
- 5.2 Policies Governing the Acquisition of Properties.** In determining which, if any, properties might be acquired, the WCLB may give consideration to the following circumstances and factors:
- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment.
 - b. Residential properties that are occupied or are available for immediate occupancy without need for substantial rehabilitation.
 - c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements.
 - d. Vacant properties that are appropriate for the yard extension disposition program.
 - e. Properties for which reutilization would be in support of strategic neighborhood stabilization and revitalization plans.
 - f. Properties that would form a part of a land assemblage development plan.
 - g. Properties that will generate operating resources for the functions of the WCLB.
 - h. Properties that would allow for the creation or expansion of community, garden, green, and/or recreational space.
- 5.3 Transaction Agreements.** In most cases involving conduit transfers and land banking agreements, a transaction agreement must be approved in advance by the BOT and executed by the WCLB and the grantor of the property. In the case of conduit transfers, such a

transaction will generally be in the form of an acquisition and disposition agreement prepared in accordance with these policies. In the case of a land banking relationship, such a transaction agreement will generally be in the form of a land banking agreement prepared in accordance with these policies. These transaction agreements shall be in form and content as deemed by the WCLB to be in the best interest of the WCLB, and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

- 5.4 Transactions Requiring Board of Trustees Approval.** WCLB BOT approval shall be required prior to any conduit transfer, land banking agreement, or any acquisition of property with improvements.
- 5.5 Title Assurance.** Generally, the WCLB requires all property acquired to have marketable title. In some instances, the WCLB may require a policy of title insurance or other assurances prior to acquiring a property.
- 5.6 Environmental Concerns.** The WCLB reserves full and complete discretion to require in all transactions that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination.
- 5.7 Set Off Program.** Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

Section 6. Establishing Hold Areas

- 6.1 Hold Areas.** The WCLB shall work with the UG Economic Development Department and the WCLB BOT to identify geographical areas that are contemplated for development. After approval by the BOT, any Land Bank parcels in such areas shall be held for designated partnering developers and may not be available for other interested parties.

Section 7. Conveyances from the WCLB

- 7.1 Covenants, Conditions and Restrictions.** All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

- 7.2 Deed Without Warranty.** All conveyances by the WCLB to third parties shall be by quitclaim deed.
- 7.3 Conveyances requiring Board of Trustees Approval.** With the exception of conveyances of property within a hold area to previously-approved, WCLB BOT-designated partnering developers, and properties subject to WCLB Rehab Program, all transfers of WCLB property shall require the approval of the BOT.
- 7.4 Conveyances pursuant to WCLB Rehab Program.** The WCLB Manager shall seek prior approval from the WCLB BOT for all properties entering the WCLB Rehab Program. Once the WCLB receives an offer from a contractor that meets the qualifications of the WCLB Rehab Program; the WCLB Manager will seek the approval of the County Administrator to commence the rehab and subsequent conveyance of the property.
- 7.5 Conveyance Reports to the Board of Trustees.** All transfers unilaterally authorized and completed by the WCLB manager shall be reported in writing to the Board of Trustees at the immediately following Neighborhood and Community Development Standing Committee meeting.
- 7.6 Conveyance Time Allowance.** All undeveloped Land Bank property shall be conveyed and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank manager, will have Award voided and property returned to Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

Section 8. Collaboration with Not-For-Profit Entities

- 8.1 Transactions with Not-For-Profit Entities.** The WCLB is willing to enter into conduit transfers with not-for-profit corporate entities as outlined in this section. After executing an agreement with the WCLB, these not-for-profit corporate entities would secure donations of or purchase tax delinquent properties from owners, transfer these properties to the WCLB for waiver of taxes, and “buy back” these properties for development and/or rehabilitation.
- 8.2 Documentation of Lot Purchase.** The collaboration applicant must document the purchase process extensively. This documentation should include, at minimum, the following information per parcel:

- a. The total purchase price for the property, including the net proceeds paid or payable to the seller
- b. The total amount spent to acquire the property (e.g. legal counsel, administrative costs).
- c. The development or rehabilitation costs impacting the anticipated final sale price.
- d. The total amount of delinquent ad valorem taxes, special assessments, and other liens and encumbrances against the property and the length of delinquency for each.

8.3 Maximum Costs. The total of these costs should exceed the maximum allowable lot cost (i.e., the cost that will permit rehabilitation or development) before the WCLB may consider the waiver of back taxes in part or in total.

8.4 WCLB Discretion. Some properties may present unusual or extenuating circumstances to the developer due to lack of funding for housing production or related costs. The WCLB reserves the right to evaluate and consider these properties case-by-case.

Section 9. Collaboration with For-Profit Entities

9.1 Transactions with For-Profit Entities. The WCLB is willing to enter into conduit transfers with for-profit entities as outlined in this section. The corporate entities would secure donations of or purchase tax delinquent properties from owners, transfer these properties to the WCLB for waiver of taxes, and “buy back” these properties for use for development and/or rehabilitation.

9.2 Eligibility. Eligibility for this option will be based on numerous criteria. Among others, these shall include geographical location of the property. The corporate entity must first identify and consult with any active non-profit entities that may have an interest in developing the property. If such interest exists, it may be required that the for-profit and non-profit forge an agreement for joint development.

9.3 Documentation of Lot Purchase. The applicant must document the purchase process extensively. This documentation should include, at a minimum, the following information per parcel:

- a. The total purchase price for the property, including the net proceeds paid or payable to the seller.
- b. The total amount spent to acquire the property (e.g. legal counsel, administrative costs, etc.).
- c. The development costs impacting the final sale price.

- d. The total amount of delinquent ad valorem taxes, special assessments, and other liens and encumbrances against the property and the length of delinquency for each.

9.4 Maximum Costs. The total of these costs should exceed the maximum allowable lot cost (i.e., the cost that will permit rehabilitation or development before the WCLB may consider the waiver of back taxes in total or in part.

9.5 WCLB Discretion. Some properties may present unusual or extenuating circumstances to the developer due to lack of funding for housing production or related costs. The WCLB reserves the right to evaluate and consider these properties case-by-case.

Section 10. Property for Community Improvements

10.1 Community Improvement Property. The WCLB is willing to accept donations of property to be transferred to a non-revenue generating, non tax-producing use that is for community improvement or other public purposes. Additionally, the WCLB is permitted to assemble tracts or parcels of property for community improvement or other public purposes.

10.2 Eligibility. Properties can be conveyed to the WCLB for waiver of delinquent taxes and then reconveyed by the WCLB to be utilized for community improvement purposes including, but not limited to, community gardens, parking for non-profit functions such as a school or cultural center, or playground for after-school or day care. The application must demonstrate that no alternative tax-generating use is available for the property, and that the proposed community improvements are consistent with the area redevelopment plans and community revitalization.

10.3 Transferee. The application must identify and be signed by the ultimate transferee from the WCLB. The transferee should be a governmental entity, a not-for-profit property entity, or, in rare cases, a for-profit entity that is capable of holding and maintaining the property in the anticipated conditions and for the anticipated purposes.

10.4 Covenants, Conditions and Restrictions. The WCLB, in the conveyance of the property to the transferee, may require covenants, conditions and restrictions as necessary to ensure that the property is used for the contemplated community improvement or other public purposes.

Section 11. Conduit Transfers – Reasonable Equity Policy

- 11.1 Purpose.** In order to prevent benefits accruing to owners of property that is tax delinquent by virtue of the exercise of the tax waiver power of the WCLB, the WCLB establishes this reasonable equity policy guideline.
- 11.2 Definitions.** The reasonable equity policy is based on the value of the property and the equity of its owner. While any valuation is subjective, it can be reasonably estimated.
- a. “Fair Market Value” shall be determined by staff according to the County Appraiser’s valuation, in conjunction with the average sale price in a given community. The WCLB staff or WCLB BOT shall have full authority to require a professional appraisal for proposals that have significant variances in valuation and entail transactions in which the owner received consideration in excess of nominal compensation.
 - b. “Net Equity” shall mean the current fair market value, as determined by WCLB staff or the WCLB BOT, less the total amount of all liens and encumbrances (tax liens, associated interest and penalties, special assessments, mortgages, judgments, etc.).
- 11.3 Less than \$2,000 Net Equity.** To ensure that an owner does not receive unwarranted benefit, the WCLB will not consider transactions in which the owner’s net equity is less than \$2,000 and the owner receives more than nominal compensation for the sale of his property. Nominal compensation is hereby defined as \$2,000.
- 11.4 Equity in Excess of \$2,000.** To ensure that the owner does not receive an unwarranted benefit, the WCLB will not consider transactions in which the owner receives an amount greater than 75% of net equity.
- 11.5 Speculation.** To ensure that speculators do not seek to take advantage of the WCLB, staff shall closely review instances in which the owner is receiving money far in excess of his investment while consistently ignoring his tax responsibility. Particular attention shall be given to properties purchased in the past three years.
- 11.6 Excessive Sale Price.** In communities that are experiencing internal and surrounding redevelopment, it is unacceptable for an owner to seek a profit in excess of 75% of his net equity. Such an owner may believe that the market will bear more than is offered and would therefore be unwilling to sell the property for a reasonable amount. In

such an instance, it would likely fall to the Delinquent Real Estate Department to sell the property at a tax sale.

- 11.7 Non-Conforming Situations.** To ensure flexibility and protect the interests of the WCLB and the public, the WCLB BOT reserves the right to modify, change, or deviate from this policy, if a situation clearly warrants such action.
- 11.8 Strategic Importance.** To preserve the integrity of the WCLB's mission, all properties petitioned to the WCLB Board must pass the test of strategic importance. The WCLB may receive proposals that may pass other criteria but which may not be crucial to the redevelopment of a neighborhood. Staff must be able to assure the WCLB BOT that the transaction is not simply allowable but a crucial component of the comprehensive redevelopment of a neighborhood. Such a transaction must be evaluated in terms of neighborhood redevelopment and ensure a long-term tax benefit to the Unified Government.

Section 12. Agreements For Temporary Use of Land

- 12.1 Adopt-a-lot.** The WCLB may enter agreements for residents and organizations to participate in an adopt-a-lot program designed to encourage and support recreation including community-based greening and gardening of available vacant lots.
- a. Agreements shall expire on December 31 of the agreement year and be renewable on March 1 of the next year provided the lot has not been sold.
 - b. The lot will be available to be sold during the term of the agreement with the purchaser obtaining possession at the expiration of the adopt-a-lot agreement.
 - c. There will be no fee.
 - d. The agreements shall specify that the lot must be kept clean, the grass mowed, or otherwise maintained in compliance with applicable ordinances of the UG and other requirements made specific.
 - e. Participants must sign liability release waivers or add the UG to their insurance policies.
 - f. The agreements will not permit building on the lots (including fences).

Section 13. Yard Extension Disposition Program

- 13.1 Yard Extension Transfers.** Individual parcels of property may be acquired by the WCLB and transferred to individuals in accordance with the following policies. The transfer of any given parcel of

property in the yard extension Disposition Program is subject to override by higher priorities as established by the WCLB.

13.2 Qualified Properties. Parcels of property eligible for inclusion in the yard extension Disposition Program shall meet the following minimum criteria:

- a. The property shall be vacant unimproved real property;
- b. The property shall be physically contiguous to adjacent owner-occupied residential property, with not less than a 75% common boundary line at the side;
- c. The property shall consist of no more than one lot capable of development. Initial priority shall be given to the disposition of properties of insufficient size to permit independent development; and
- d. No more than one lot may be transferred per contiguous lot.

13.3 Yard Extension Transferees.

- a. All transferees must own the contiguous property, and priority is given to transferees who personally occupy the contiguous property.
- b. The transferee must not own any real property (including both the contiguous lot and all other property in the County) that is subject to any unremediated violations of state and/or local laws, codes or ordinances.
- c. The transferee must not own any real property (including both the contiguous lot and all other property in the County) that is tax delinquent.
- d. The transferee must not have been the prior owner of any real property in the County that was offered for sale as a result of tax foreclosure proceedings unless the WCLB approved the anticipated disposition prior to the effective date of completion of such tax foreclosure proceedings.

13.4 Lot Consolidation. As a condition of transfer of a lot, the transferee must enter into an agreement that the lot transferred will be consolidated with the legal description of the contiguous lot, and not subject subdivision or partition within an agreed period of time following the date of transfer.

Section 14. Land Banking Program

14.1 Scope. As set forth in these policies and procedures, the land banking program consists of transactions in which a grantor transfers real property to the WCLB and the property is held by the WCLB pending a transfer back to the original grantor, to a grantee identified in a banking agreement, or to a third party selected by the WCLB.

- 14.2 Goals.** The goals of this land banking program include but are not limited to the acquisition of real property for or on behalf of a governmental entity or not-for-profit corporation in order to:
- a. Permit advance acquisition of potential development sites in anticipation of rapidly rising land prices;
 - b. Facilitate pre-development planning, financing, and structuring;
 - c. Minimize or eliminate violations of housing and building codes and public nuisances on properties to be developed; and/or
 - d. Hold parcels of land for future strategic governmental purposes such as housing development, opens spaces and green spaces.
- 14.2 Land Banking Optional.** The WCLB is not required to enter into a banking agreement with any person or entity, and at all times retains full discretion and authority to decline to enter into a banking agreement. These policies are applicable only to real property of the WCLB which is acquired in accordance with an executed banking agreement and are not otherwise applicable to real property acquired by the WCLB pursuant to any other agreements or procedures.
- 14.3 Definitions.** As used in these policies, the following terms shall have the definitions set forth:
- a. **“Banking Agreement”** shall mean a written agreement between a grantor and the WCLB which identifies the property, the length of the banking term, the potential grantee or grantees, the range of permissible uses of the property following transfer by the WCLB, the permitted encumbrances on the property, the rights and duties of the parties, the responsibility of the grantor for the holding costs, the possible advance funding of holding costs, the forms of the instruments of conveyance and such other matters as may be appropriate.
 - b. **“Grantor”** shall mean the party that transfers or causes to be transferred to the WCLB a tract of property pursuant to a banking agreement.
 - c. **“Grantee”** shall mean the party or parties identified in a banking agreement as the party or parties to whom the property is to be transferred from the WCLB.
 - d. **“Holding Costs”** shall mean any and all costs, expenses, and expenditures incurred by the WCLB, whether as direct disbursements, as pro rata costs, or as administrative costs, that are attributable to the ownership and maintenance of a tract of property. The WCLB shall maintain records of the monthly holding costs for each property.

- e. **“Property”** shall mean the real property and improvements (if any) located thereon identified in a banking agreement and transferred to the WCLB pursuant to a banking agreement, together with all right, title and interest in appurtenances, benefits and easements related thereto.

14.4 Eligible Property. Property which is eligible for a banking agreement must either be (a) unimproved real property or (b) real property with unoccupied single-family residences.

- a. In the event that a tract of property contains improvements which are to be demolished or removed, such property may qualify as eligible property for a banking agreement so long as adequate and sufficient funds are placed in escrow at the time of the banking agreement closing so as to assure that all improvements will be demolished and removed within sixty (60) day of closing.
- b. Property that is ineligible for a banking agreement includes all other forms of improved real property, all real property which is occupied, and all real property that has been identified as containing hazardous substances and materials.

14.5 Eligible Grantors and Grantees. Parties eligible to be a grantor or a grantee are governmental entities and not-for-profit corporations defined as tax-exempt entities by the Internal Revenue Code. A limited partnership entity is eligible to be a grantor or grantee so long as a governmental entity or not-for-profit corporation has a controlling interest in such entity.

14.6 Title.

Unless and except to the extent expressly authorized in a banking agreement, property transferred to the WCLB pursuant to a banking agreement shall be fee simple title free and clear of all liens and encumbrances. The issuance of a policy of marketable title in favor of the UG may be required at the closing pursuant to the banking agreement containing such exceptions as are approved by the WCLB.

- a. Governmental liens may exist at the time of closing only if such liens are expressly acceptable to the WCLB.
- b. A mortgage or other security instrument may encumber property at the time of transfer to the WCLB provided that that the obligations secured by such instruments do not require monthly or periodic payments by the WCLB to the mortgagee. Under no circumstances will the WCLB have direct liability to a mortgage pursuant to a security instrument. It is anticipated that each banking agreement that contemplates the transfer of property to the WCLB encumbered by a security instrument will require a separate written agreement between the

mortgagee and the WCLB which provides, among other things, that:

1. The mortgagee expressly consents to the transfer to the WCLB;
 2. The mortgagee expressly subordinates its interests to covenants, conditions and restrictions as may be required by the WCLB; and
 3. Prior to the exercise of mortgagee rights under the security instrument, the mortgagee will request, on behalf of the grantor, the conveyance of the property to the grantor and pay to the WCLB the holding costs attributable to the property.
- c. At the time of closing pursuant to a banking agreement, all ad valorem taxes which are due and payable on the property must be paid in full. An exception to this requirement of no outstanding ad valorem tax liens may be granted:
1. When the grantor is acquiring the property from a third party and immediately conveying the property to the WCLB pursuant to a banking agreement, and
 2. The acquisition of the property by the grantor from the third party otherwise complies with the reasonable equity policy of the WCLB.

14.7 Length of Banking Term. A banking agreement may permit a maximum banking term of thirty-six (36) months for transactions in which the grantor is a not-for-profit entity, and sixty (60) months for transactions in which the grantor is a governmental entity.

14.8 Transfers at Request of Grantor. A banking agreement shall authorize a grantor to request a transfer of the property by the WCLB to a grantee at any time within the banking term.

- a. A conveyance by the WCLB to the grantee identified pursuant to a banking agreement shall occur within thirty (30) days of receipt of a written request for a transfer.
- b. As a condition precedent to the transfer by the WCLB, the full amount of holding costs incurred by the WCLB attributable to the property shall be paid to the WCLB. The WCLB shall provide to the grantor in accordance with section 13.13 a statement of the holding costs attributable to the property.
- c. At the time of the transfer by the WCLB to the grantee, the WCLB shall impose such restrictions and conditions on the use and development of the property in accordance with section 13.12 hereof and the applicable banking agreement.
- d. Conveyance by the WCLB to a grantee shall be by quitclaim deed.

14.9 Transfer at Request of WCLB. At any time and at all times during the term of a banking agreement, the WCLB shall have the right, in its sole discretion, to request in writing that the grantor or its designee accept a transfer of the property from the WCLB.

- a. A transfer by the WCLB pursuant to this section shall be subject to the same terms and conditions as set forth in section 13.8.
- b. In the event that the grantor (or its designee) is unwilling or unable to accept a transfer of the property from the WCLB, and reimburse the WCLB in full for the holding costs, then the WCLB shall have the right to terminate in writing the banking agreement. The property shall then become an asset of the WCLB and subject to use, control and disposition by the WCLB in its sole discretion subject only to the provisions of applicable statutes and ordinances.

14.10 Banking Agreement Closing. Within a time period specified in a fully executed banking agreement, a closing of the transfer of the property to the WCLB shall occur. At such closing, the fully executed instrument of conveyance and other closing documents shall be delivered by the appropriate party to the appropriate parties. The appropriate documents shall be immediately recorded, and a title insurance policy shall be issued. All costs of closing shall be borne by the grantor.

14.11 Holding Costs. Holding costs shall be paid as a condition precedent to a transfer of property from the WCLB. Either the grantor or the grantee can request in writing at any time a statement of the holding costs, which statement will be provided by the WCLB within fifteen (15) business days of receipt of the request. The WCLB shall also have the right to request in writing that the grantor or grantee reimburse on written demand the WCLB for holding costs. In the event that the WCLB is not timely reimbursed for its holding costs in response to its written request for reimbursement, the WCLB may request a transfer pursuant to section 13.9.

14.12 Public Purpose Restrictions. All property held by the WCLB and transferred by the WCLB pursuant to a banking agreement shall be subject to covenants and conditions providing that the property is to be used for the following goals:

- a. The production or rehabilitation of housing for persons with low incomes;
- b. The production or rehabilitation of housing for persons with low or moderate incomes;
- c. Community improvements; and/or
- d. Other public purposes.

Each banking agreement will specify the range of permissible uses and the manner in which such use restrictions is secured. Such restrictions and conditions may be imposed either in the form of contractual obligations, deed covenants, rights of reacquisition, or any combination thereof.

Section 15. Land Banking Donation Program

15.1 Donation to WCLB. The WCLB may only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented.
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property.
- c. There is a written agreement with an owner of an adjoining property to purchase the property from the WCLB; this is only in reference to unimproved vacant lots in a non-targeted area.
- d. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation.
- e. The Unified Government of Wyandotte County/Kansas City (UG), Kansas, City of Bonner Springs or City of Edwardsville has agreed to fund the demolition of an improved property within its City limits.

15.2 Exclusions and Exceptions

- a. Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG.
- b. WCLB may require that donated property(s) be conveyed with clear and marketable title.
- c. Property(s) that are occupied may not be accepted as donations.
- d. WCLB shall not determine donation value for the purpose of tax benefits.
- e. Any exceptions to the provisions of the above must come before the Board of Trustees.

WCLB reserves the absolute right to accept or reject any and all donation requests.

Any property that is determined not to be an immediate need or could not be accepted by the WCLB and is determined to be tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Section 16. Land Bank Rehab Program

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16.1 Purpose. The WCLB Rehab Program provides qualified rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes, once they are available in the WCLB inventory.

16.2 Goals. The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private, and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Create affordable ownership opportunities to stabilize neighborhoods
- b. Improve the health, safety, durability and energy - efficiency of rehabilitated properties through the WCLB Housing Standards

16.3 Housing Stock. All property with improvements (residential) that are transferred to the WCLB will be boarded, secured and inspected to identify its place in the program. There are three (3) recommendations that these properties will fall under:

- a. Rehab – properties that show rehab potential will be made available to qualified rehabbers in the program.
- b. Demo – properties that are a danger to the public will be recommended to the UG Demo Department to be razed.
- c. Hold – properties that are rehab potential but are in a designated development hold area, may be put on hold and not available to the rehabbers.

Any commercial improvements received by WCLB will be evaluated in the same manner; these properties will have any debris removed and some possible demo performed to put property in a marketable position. All WCLB commercial property offers will be given preference to those that will establish new/relocated businesses that will generate jobs for the County.

16.4 Rehabber Qualifications. All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / KCK Business License Department
 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

16.5 Availability for Rehabbers. Any house that is identified as a rehab and not on hold will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the Tier I rehabbers to attend to assess each property identified. All Tier I rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline will then be offered to the Tier II group. The WCLB will schedule open houses for the Tier II rehabbers to attend to assess each property identified. All Tier II rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

16.6 Rehab Agreements. The WCLB will review and score all offers received to determine if the offer is a qualified offer. Multiple offers for a single house will be ranked from highest to lowest and all highest ties will be broken by offer amount. The WCLB will negotiate with the top-ranking offeror and put an agreement together. As identified in Section 7.4, all offers must be approved by the County Administrator to commence the rehab and subsequent conveyance of the property. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

16.7 Filings. The agreement approved by the County Administrator will be filed as a Sale Contract With Land Use Restrictions with the Wyandotte County Register of Deeds (ROD) office. The house will stay in the name of the WCLB until the passing of the final inspection from the WCLB staff.

16.8 Inspections & Permits. The WCLB will require copies of all inspections conducted by the Unified Government of Wyandotte County / KCK Building Inspection Department. WCLB Staff will perform progress inspections throughout the rehab. Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts.
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing - MEP).
- c. Progress – drywall is hung, and all other repairs are completed.
- d. Final - house has passed all inspections and copies have been received by the WCLB, house has passed the Building Inspection Final Inspection. Staff will do final walk thru.

Any Tier II rehab will consist of monthly inspections done by WCLB staff and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When staff has verified the house has passed WCLB final inspection, the WCLB Manager will prepare and file a Quit Claim Deed (QCD) w/ROD office.

16.9 Extensions & Penalties. If the rehab completion date stipulated in the agreement cannot be met, the Rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the WCLB's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the WCLB Manager, utilizing the WCLB Extension Request Form. The request must include the cause of the delay and plan to complete the rehab in time requested. In case of delays not at fault by the rehabber, the WCLB may waive the extension fee.
- b. The request for extension must be received by the WCLB Manager no later than 5 calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at beginning of rehab.
- c. The extension will be granted for a max of 60-day calendar period. The extension fees are due to the WCLB Manager when the WCLB Extension Request Form is submitted. These fees must accompany the extension request and be a nonrefundable cashier's check or money order, payable to the Wyandotte County Land Bank, in the full amount of the extension.

1. Day 1 to 30 - \$5.00 per day

2. Day 31 to 60 - \$10.00 per day

- d. If the granted extension period expires and the rehab has not passed the City's Final Inspection and the WCLB's Final Inspection, a penalty of \$500.00 per 30 days will be enforced. Each 30-day period will not be prorated and must be paid in full before the WCLB will file the Quit Claim Deed to the Rehabber granting them full rights to the property.
- e. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.
- f. Extension fees paid are retained by the WCLB and not reimbursed if rehab is concluded before the end of time requested.

The WCLB reserves the right to waive any extension costs or penalties.

16.10 Tier I Rehabber Threshold. Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing is six (6), if a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could get them to the threshold.

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